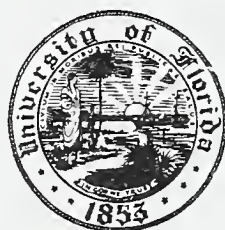




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THE  
QUARTERLY

OF THE



VOLUME XX

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Edited by

FREDERIC GEORGE YOUNG

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The Quarterly disavows responsibility for the positions taken by contributors to its pages.

## THE SNAKE RIVER IN HISTORY

By MILES CANNON,  
Commissioner of Agriculture, Boise, Idaho.

Near the central part of Lewis county, Tennessee, in a lonely wooded spot which is rarely disturbed by any sound save the mournful dirge of the forest trees or the bark of the hunter's hounds, is an old and neglected grave. The place is marked by a marble monument, standing more than 20 feet in height, which was erected in 1848 by the state in which it is located. Centuries before the sod was turned for this grave a great Indian highway ran near by, and this, in time, became a military road known in history as the "Natchez Trace." It was here that Meriwether Lewis, the first white man to look upon the waters of the Snake river, at early dawn October 11th, 1809, at the age of 35 years, yielded up his brief but eventful life. Marching events have long since consigned the "Natchez Trace" to oblivion but human interest in that grave will continue to increase with time, for Meriwether Lewis played a leading role in one of America's greatest political dramas.

The opening scene of this drama was in what is now known as the Lemhi pass of the Rocky Mountains, situated between Armstead, Montana, and the Salmon river in Idaho. The time was the afternoon of Monday, August 12, 1805. Speaking of the source of the Missouri river the Lewis and Clark notes contain the following lines:

"They had now reached the hidden sources of that river,

which had never yet been seen by civilized man. . . . they sat down by the brink of that little rivulet, which yielded its distant and remotest tribute to the parent ocean," etc.

They then proceed to relate that:

"They left reluctantly this spot, and pursuing the Indian road through the interval of hills, arrived at the top of a ridge, from which they saw high mountains partially covered with snow still to the west of them. The ridge on which they stood formed the dividing line between the waters of the Atlantic and the Pacific oceans."

Let us tarry at this interesting place and view well the scenes before us. Standing with Mr. Lewis is John Shields, a blacksmith from Kentucky, and George Drewyer, the interpreter and hunter. It is recorded that they carried a United States flag which, at that time, consisted of fifteen stripes and a Union of fifteen stars in the blue field. The colors of our flag had first appeared in history some 3400 years before this time and, likewise, under dramatic surroundings. Bible readers will recall that, at the base of Mount Sinai, the Lord gave to Moses the Ten Commandments and the book of the law, and they were deposited in the Ark of the Covenant within the movable Tabernacle, before which four curtains were suspended, one of purple, one of red, one of white and one of blue. The first color, obtained by the ancients only with the greatest difficulty, was necessarily restricted in use and finally became the distinctive color of imperialism.

The three remaining colors have been handed down through the long centuries and during the last three have quite generally been used in flag making, more especially by countries inclined toward civil freedom. These colors, 3400 years in their coming, are now on the summit of the continental divide and the men who bore them hither look out over one of the most beautiful panoramic scenes in all the world. Down through the fathomless abyss of time that landscape had received from the winter's storms its mantles of snow, and with the breath of each succeeding spring it had burst forth into life again. But never before had a white man beheld its transcendent beauty nor had his feet trod the winding stairs and stately corridors

of this magnificent temple of God. Whether or not the sculptor who is to fashion the granite column marking this spot is yet born I know not; but sooner or later a monument will arise in these rugged regions and to it will come the remotest generations to do homage to the memory of Meriwether Lewis.

August 20, the reunited party was encamped several miles below the confluence of the Lemhi and Salmon rivers, probably in the same cove occupied by Bonneville 27 years later, when Captain Clark conferred upon the stream, here 300 feet in width, the name Lewis's river and noted in the journal the information that Captain Lewis was the first white man to visit its waters. During the early days when the country was occupied by mountain men it seems that the principal rivers, with a few exceptions, were called after the tribes which inhabited the adjacent country. Thus the Cowlitz river derived its name, as did the Yakima, the Walla Walla, the Palouse, the Okanogan, and the Spokane. The North-West Company designated what is now southern Idaho as the Snake country and, in time, the name Lewis faded away under the poetic brilliancy of that charming name "Snake." When Jason Lee arrived at Fort Hall he wrote in his journal that he had "camped about noon on the bank of the Snake river as called by the mountain men but on the map Lewis Fork."

The Lewis and Clark journals contain the following:

"They (the Snakes) are the poorest and most miserable nation I ever beheld."

From Alexander Ross we learn how the name originated, as follows:

"It arose from the characteristics of these Indians in quickly concealing themselves when once discovered. They seem to glide away in the grass, sage brush and rocks and disappear with all the subtlety of a serpent."

Father DeSmet gives this version relative to the origin of the name:

"They are called Snakes because in their poverty they are reduced like reptiles to the condition of digging in the ground and seeking nourishment from roots."

Of Mr. Lewis, President Jefferson said:



"About three o'clock in the night he did the deed which plunged his friends into deep affliction, and deprived his country of one of her most valued citizens, whose valour and intelligence would have been now employed in avenging the wrongs of his country, and in emulating by land the splendid deeds which have honoured her arms on the ocean. It lost, too, to the nation the benefit of receiving from his own hand the narrative now offered them of his sufferings and successes, in endeavoring to extend for them the boundaries of science, and to present to their knowledge that vast and fertile country which their sons are destined to fill with arts, with science, with freedom and happiness."

It is perhaps no idle dream if Americans feel that the future holds in store a glorious destiny for our country in the affairs of the world, and that our flag will, throughout the unnumbered centuries, symbolize the highest and most generous elements of civilization. The Snake river basin is able to and will, in time, support a population of many millions of brave, prosperous and happy people. Whether or not they will felicitate us who now occupy a position on the very threshold of an unbounded future, for giving our silent consent to an historical perversion which will perpetuate the memory of the Snake Indians by attaching this name to one of the most valuable and powerful rivers in America, rather than the memory of the man who first visited its waters, is a question of some import and one which affords much food for reflection.

One of the most interesting features in connection with early exploration, discoveries and development of the mountain regions, and one which quite generally has been overlooked by contemporaneous writers, are the many and important pre-historic roads. A definite knowledge of these winding trails, the parallel and deep worn furrows, many of which are yet to be seen, is obtained with the greatest difficulty. As an example the journals of Lewis and Clark contain the following notation in connection with the discovery of Lemhi pass:

"At the distance of four miles from his camp he met a large, plain Indian road which came into the cove from the north-east, and wound along the foot of the mountain to the south-west," etc.

When he had arrived in the Lemhi valley, Captain Clark in-

terrogated the Indians very minutely relative to roads and obtained valuable information regarding the topography of the country and locations of the rivers. This interview resulted in Captain Clark's deciding to make his way to the road used by the Piercednose Indians in crossing over the mountains to the Missouri, towards the north, which, latterly, became known as the Lolo Trail.

In making some enquiries as to the exact trail which Dr. Whitman followed south from Fort Bridger, in making his memorable journey in 1842 "to save Oregon," a pre-historic road of much importance is, to a limited extent, brought to our notice. It would seem that this trail extended from Vera Cruz, Mexico, northward to the Rio Grande near El Paso, thence to Santa Fe, where it probably converged with the old Spanish trail until it reached the western part of Mesa County, Colorado, near a place called Westwater Canon. From this point the Spanish Trail led in a more westerly direction crossing Green river near where the Denver and Rio Grande Railway now crosses that stream. The other ascended Westwater canyon, crossed over to White river, thence to Green river, crossing near where Fort Thornburg was in after years located. From this point the trail followed practically a direct line over the Uintah Mountains to where Bridger was afterward located and from thence to the Snake river near the Fort Hall site. From here it followed the Snake to Henry's Lake, where it diverged into three distinct trails, one in the direction of the Yellowstone, one to Three Forks and one toward Ross's Hole, each prong passing through a separate and distinct pass in the Rocky Mountains directly above Henry's Lake.

Returning to the Westwater canyon it may be of interest to note that, several years ago, an inscription was found on the wall rock of this canyon written in French, a liberal translation of which follows :

"Antoine Robidoux passed this way the 13th of November, 1837, for the purpose of establishing a mission for trading on Green River or the Uintah."

He appears to have established his trading mission on the Uintah a short distance above its confluence with the Du Chesne. The fort is said to have been destroyed by the Utah Indians in 1844. The old trails which in later years became known as the Oregon Trail appear to have joined with the Southern trail in the Bridger bottoms and continued with it to the bend in the Snake river some five miles above where Fort Hall was located. Here the Columbia river trail branched off and followed the left bank of the Snake to Three Islands, near the present town of Glenn's Ferry, Idaho, where one prong crossed the Snake and followed the mountain slopes to Boise river a short distance above the city of Boise as it is today. The other prong continued on the south side of the river and again joined the northern arm, after the latter had re-crossed the Snake at the mouth of the Boise, at a point about six miles south-east of the present town of Vale, Oregon.

It may be pertinent here to observe that early travelers, while they almost invariably availed themselves of these well-worn highways in their ubiquitous wanderings through the mountains, encountered trails which existed in countless numbers and which were almost everywhere in evidence. For this reason it was found necessary, wherever possible, to employ Indian guides. How long these pre-historic trails had been in existence before the advent of the white man will be touched upon later.

We learn from the pen of Mr. T. C. Elliott that David Thompson, in the summer of 1809, descended the Kootenay river as far as the present site of Bonner's Ferry where he transferred his goods to pack animals and transported them over the "Lake Indian Road" to Lake Pend d' Oreille where, on September the 10th of that year, he erected the first building in what is now the state of Idaho, the site being in the vicinity of the present town of Hope. Events leading to a knowledge of the great Snake river were now in the making. Major Andrew Henry, a tall, slender young man, with dark hair and light blue eyes had already associated himself with Manuel Lisa, of St. Louis, and they were alert to avail them-



selves of any advantages which were to be derived from the success of the Lewis and Clark expedition. While Thompson was establishing "Kullyspell House" on Lake Pend d' Oreille, Henry was making his way up the Missouri with all speed.

The spring of 1810 found him establishing himself, in the interest of the Missouri Fur Company, at the three forks of the Missouri on almost the identical spot where the explorers had encamped five years before. The ruins of the fort which they established here were in evidence until 1870. Being driven out of this section by the Blackfoot Indians they traveled the middle prong of the great Southern trail, heretofore mentioned, and crossed the Continental Divide near Henry's Lake and established themselves on the Snake river at a point, as I conclude after an examination of the country, two miles below the present town of St. Anthony and on the left bank of the river. The melancholy fact should be noted that George Drewyer, whose memory is so closely associated with that of Mr. Lewis, lost his life in the fall of the fort at Three Forks and that his ashes still repose in that vicinity.

The establishment on Snake river, which became known as Fort Henry, and which consisted of some two or three huts, was situated in a small valley of about twenty acres. When the first settlers arrived in this section during the early sixties this valley was still covered with a growth of large cottonwood trees, the only timber in that section of the country. It is now an alfalfa field, and, doubtless the site of the first house in all the territory drained by the Snake river and the second to be erected in the state of Idaho.

In the service of Major Henry at this time were three men of some importance to this narrative and whose names are familiar to readers of Irving's Astoria. Edward Robinson, a Kentucky woodsman then in his sixty-seventh year, a veteran Indian fighter in his native state, and who had been scalped in one of the many engagements in which he took part. He still wore a handkerchief bound round his head to protect the tender reminder. Associated with him were two congenial spirits also from Kentucky, named John Hoback and Jacob

Rizner. They had ascended the Missouri in 1809 with Henry, taken part in the battle of Three Forks, crossed the Continental Divide and, with Fort Henry as a base, had trapped on many of the adjacent streams. After the fort was abandoned, in the early spring of 1811, they re-crossed the mountains and descended the Missouri, but Henry, it would appear, stopped at a post which the Missouri Fur Company had established on the river near the mouth of the Cheyenne. The three hunters, now free from their engagements, continued on down the river determined to forever abandon the pursuit of fortune in the wilderness.

By the morning of May 26th, their flotilla, consisting of two log canoes, arrived at a point in the Missouri opposite the mouth of the Niobrara when their attention was attracted by the report of a gun which came from the right bank of the river. The hunters crossed over and landed at the camp of a powerful company of fortune seekers under the command of Wilson Price Hunt, who were then breakfasting around a blazing fire on the green bank of the river. As a result of this unexpected meeting we find these three men, on the evening of October 8, 1811, and after a long ride in the face of a westerly wind and flurries of snow, filing into the lonely precincts of Fort Henry accompanied by not less than three scores of traders, trappers and voyagers, mounted, armed and equipped for the struggle which the phantom of hidden riches too often entails.

Our three Kentucky hunters, together with Joseph Miller, a retired army man, and a man by name of Cass, were left at Fort Henry and were the first white men to explore the Snake river basin and become acquainted with the Indian roads of the country, which they did as far east as Bear river. When Robert Stuart reached the mouth of the Boise river the following August, enroute to New York with dispatches for Mr. Astor, he, by the merest chance of fortune, discovered Miller and the three hunters on the verge of starvation. Having appeased their torturing craving for food Stuart conducted the four unfortunates, Cass having in the meantime been un-

accountably lost, as far as Caldron Linn, now the site of the great Milner dam, where the three hunters determined again to breast the tide of fortune.

Milner, Idaho, probably stands on the ground where Hunt cached his goods after a vain attempt to negotiate the river in boats. The two rocks which swamped the boat and caused the first death of a white man on the Snake river, and upon which the Stuart party found the boat still clinging, now support the dam which diverts water sufficient to create a veritable irrigated empire, covering as it does 1,300,000 acres of land reclaimed at a cost of nearly \$50,000,000.

Following the arrival at Astoria of the Hunt party, Donald McKenzie, who, with Reed and McClellan, had been detached from the main party at Caldron Linn, and who preceded Hunt to Astoria by nearly a month, set out to establish a post among the Nez Perces Indians. I conclude that he traveled the same trail from the mouth of the Walla Walla to the forks of the Clearwater that Lewis and Clark followed on their return trip six years before and that McKenzie established his post near the mouth of the North Fork. The movements of McKenzie and his party after leaving Caldron Linn is involved in much mystery but from the nature of the man, his subsequent acts and a knowledge of the country through which he passed, I have no hesitancy in adopting the view that he left the Snake river at the mouth of the Weiser and followed a well known Indian trail up Monroe's creek, thence over to Mann creek, thence over to the Weiser, which he followed to its source. From here he descended the Little Salmon to its junction with the Salmon river proper, which he followed to the mouth of the Whitebird. From here the trail led over the divide somewhat west of old Mount Idaho and down to the Clearwater above the present town of Stites, thence down the Clearwater to the North Fork.

I think, too, that his success in making his way through the mountains, the knowledge he acquired of the trails and of the country through which they passed, determined Mr. Hunt in designating McKenzie as the one to operate in the Nez

Perces country, also in designating Reed, who accompanied McKenzie, as the one to retrace his steps to Caldron Linn for the goods which were cached there. The place where McKenzie established his post was on a line of great travel, and trails ran in several directions from here; it was within a mile or so from the works where Lewis and Clark made their canoes on their outward journey, near where the Lolo trail descended from the Weippe camas fields and a general winter rendezvous for the Indians. It is quite probable, too, that John Reed possessed a satisfactory knowledge of the trails when he consented to return to Caldron Linn and that he traveled the same route that landed them on the Clearwater the winter before. Another evidence which may have a bearing on the question is the fact that there was no other way to get through the mountains and precede the main party by a month.

Returning now to the fate of our three Kentucky hunters whom Stuart left at Caldron Linn, Miller having made good his intention to quit the country, it seems that they were unable to escape the pursuit of an evil spirit. After being outfitted by Stuart they trapped with varying success higher up the river awaiting the arrival of John Reed from the post at Nez Perces in order to complete their equipment for a two-years' hunt. Having thus completed their arrangements they set out into the wilderness in quest of the beaver, while Reed, at the head of his party, returned to the Clearwater. The following year, 1813, Reed was again detached and sent to the Snake country to trap beaver and search for the three hunters, whom he located late in September of that year. With his party of six voyagers and hunters, besides the squaw and two children of Pierre Dorion, now augmented by the discovery of the three Kentucky woodsmen, Reed located his headquarters at the mouth of the Boise. Having lost three of his men during the fall, he, early in the winter, dispatched Rizner at the head of a little party consisting of Leclerc, Dorion and family, to the South Fork of the Boise, a distance of about 100 miles from the Reed house. Between January 1st and



10th, Rizner and the two men were massacred while taking beaver on the South Fork, the squaw and two children only escaping. When they arrived at the mouth of the river it was discovered that not one of the party was left alive.

The trials and tribulations of this poor Indian woman, from this moment until her arrival the following spring in the Walla Walla country, constitutes one of the most heart-rending tragedies in western history. It is a story that will be told as long as people read history and, when properly told, will touch the heart of a nation. This brings us to the first Indian massacre in the Snake river valley, a series of which continued, with varying degrees of ferocity and frequency over a period of 58 years.

To Stuart is usually accorded the credit of being the first white man to lead a party over the Indian trail that, in time, became known as the Oregon Trail. Of this trail I will content myself by mentioning only a few of the historic points as they appear today, and as are directly connected with the Snake river in history.

The winter camp of Bonneville, 1833-4, is about eight miles north-west of Bancroft, Idaho, a station on the O. S. L. Ry. It is now in the confines of a farm but the spring still gushes out of the earth in sufficient quantities "to turn a mill" provided the mill were not too large. The trail, in most part, from the Bear river to the Snake, is in a fair state of preservation to the point where it touched the latter stream.

From this place to the site of Fort Hall it is rather uncertain. It is only proper for me to state here that there is some doubt in the minds of several gentlemen who have given the subject much thought as to the exact location of Fort Hall. I give it as it was given to me by an Indian scout who piloted me to the place, who was born in its vicinity at a time when the building still stood and whose father was acquainted with the Hudson's Bay traders who were located there. About four miles below the place where the trail strikes the river, on the left bank and within 20 feet of a slightly lower level covered with cottonwood timber, is, so my guide informed me,



the identical spot. Originally the fort was constructed of cottonwood logs set in the ground but latterly, when in the possession of the Hudson's Bay Company, it was enlarged and enclosed with adobe brick.

The outlines of these walls are plainly discernable, even to the two bastions at opposite corners, and the well inside the enclosure. The adjoining grove where Jason Lee preached the first sermon ever heard west of the Rocky Mountains, July 26, 1834, is still a grand cathedral for the song birds of the desert as the country is untouched by man, it being within the Fort Hall Indian reservation. Three miles below is the crossing of Spring Creek where the stage station was located in 1864, it having been constructed with adobe bricks brought here from the then abandoned Fort Hall. Some three miles farther brings us to the Portneuf crossing from which place the road to American Falls is very near the old trail. This city, now the second wheat shipping station in the United States, still has the marks of the trail within the city limits. It is safe to conclude, however, that few of its citizens have the slightest conception as to the historic connection of those old deep-worn furrows.

I have never been able to determine just how American Falls received its name. What American party could have perished at the falls is not clear, as they seem to have acquired that name before the advent of the Americans, unless these falls have been confused with those at Caldron Linn. In that case it is very likely that the accident heretofore mentioned in connection with the Hunt party is responsible for the name.

Some 23 miles down the river from American Falls, in the immediate vicinity of Rock Creek, is one of the tragical points of the trail. The general conditions of this particular section have not changed since the days when the Oregon Trail was in the heyday of its glory. How many pioneers sleep at the foot of that great perpendicular rock, so long retained in the memory of those who traveled the historic trail, the world will never know. It was here that, in 1851, the wagons of Mr. Miller, of Virginia, were attacked, a daughter of Mr. Miller seriously

wounded and a Mr. Jackson killed. It was here that Mr. Hudson Clark, of Scott county, Illinois, while driving his carriage too far in advance of his train, was attacked, his mother and brother murdered and his sister, a beautiful young lady of 22 years, after being dangerously wounded, was brutally ravished by most of the Indians in the party. It was here, also, that the Harpool<sup>1</sup> train of 20 wagons was attacked in 1851, and after a fearful battle lasting two hours the Indians were repulsed.

Standing on the summit of this old rock today, looking to the north and west, a great panorama greets the eye. Scenes of commerce and husbandry are everywhere in evidence, but the Snake river, as known by the pioneers, is no more. The great Minidoka power plant has transformed it into a most beautiful lake fully 25 miles in length. As I stood there and feasted my eyes upon the magnificent landscape I could not avoid the thought of the numerous graves below and of the intense suffering of the brave pioneers who have made these scenes possible.

From here to the Twin Falls district most of the old trail is yet to be seen but when one arrives at an irrigation canal it is lost, forever lost. The Salmon Falls have not changed since the day the Stuart party arrived there and gave them their present name, neither have the adjacent camping grounds been molested. From this place to Pilgrim Springs, where Mrs. Whitman, August 12th, 1836, wrote her beautiful tribute to the abandoned trunk, and where the doctor discarded the bed of his wagon, the trail in most part is still to be seen. It was over this section that Mrs. Sager, in 1844, suffered the agonies of a most pitiful death which relieved her a few hours after the train reached Pilgrim Springs where her dust is mingled with that of the desert.

The three islands where the trail crossed the Snake river are twelve miles down the mountain from Pilgrim Springs and no change has taken place since the pioneers ceased to brave the rapid current here. As I sat on the bank with one of the

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<sup>1</sup> David Baxter Gray, afterwards, beginning in '78, was widely known in the Willamette Valley and The Dalles, crossed the plains with the Harpool train.—George H. Himes.

oldest settlers in this section and looked out over the waters of the river, while he traced the ripples which marked the line of travel, I could but wonder at the courage necessary to prompt one to make the attempt. Yet the emigrants who came over the trail plunged into the terrifying waters with impunity, though not all of them succeeded in reaching shore.

At the Hot Springs, on the northern prong of the trail and within nine miles of Mountain Home, a bath house of considerable importance is in operation. The trail touched the Boise river where the Barber lumber mills are now situated, some six miles above the city of Boise. Just west of Ten Mile creek, some 20 miles down the Boise river, is the site of the Ward massacre which occurred August 20, 1854. In December, 1914, I succeeded, with the help of several pioneers, in locating the spot and the grave which contains the ashes of several of the victims.

The Canyon ford, five miles west of the Ward battle ground and one mile north of Caldwell, Idaho, the oldest and most prominent ford on the Boise river, has undergone no change in its surroundings save that an iron bridge now spans the stream directly over the historical crossing. From here the trail followed very nearly the present bed of the river to Old Fort Boise where it again crossed the Snake and joined the southern branch about eight miles out in the hills in the direction of Vale, Oregon.

Noticing for a moment the diary of Jason Lee, who attached himself to the brigade of Thomas McKay at Fort Hall, it would appear that this company followed the southern route. While encamped at the Three Islands, near the present Glenn's Ferry, Mr. McKay, who had buried one native wife, felt himself inclined to embark again. The nuptials were celebrated on Tuesday evening, August 12, 1834. The captain declined, however, to present to the relatives of the bride the customary tokens of esteem, informing them that it was the rule among the whites to simply gain the consent of the girl. While at breakfast the following morning, in open day light and in the presence of thirty people, an Indian not willing to accept the

white man's peculiar ideas, appropriated one of the captain's horses and made way with it undiscovered.

On the evening of the 14th, the party was encamped at Willow creek where the old Humboldt and Boise river trail crossed the Snake. They appear to have established their encampments on a large island in the river there which afforded, as it yet does, good pasturage for stock. They were still here on Saturday evening when the captain visited the camp of the missionaries and informed them that it was his purpose to remain in that vicinity to trade with the Indians and trap beaver until the following March.

Just what effect the operations of Mr. Wyeth back at Fort Hall had produced upon the sagacious captain I have no means of knowing. Certain it is, however, that when the Whitman party, which crossed the river at Three Islands and journeyed over the northern trail, and which was attached to the brigade of the same valiant captain just two years later, arrived at a point nine miles below the Canyon ford on the Boise river they were welcomed to *Fort Boise* by the captain who had gone on ahead from the Snake river encampment to arrange for the reception. Here it was that that historical bone of contention, the Whitman wagon, was left and which remained there in the custody of the Hudson's Bay Company, as an interesting exhibit, until claimed by oblivion. When Mr. T. J. Farnham, of the Peoria party, arrived here three years later he found the company engaged in building a new fort twelve miles below at the mouth of the river. From the Winthrop diary under the date of Sunday, Sept. 11, 1853, we learn that the fort was washed away that spring and that the company was then engaged in building a new one out of the old adobes. The site of the old post is now in the channel of the Snake river about 200 feet from the right bank. After its abandonment in 1856 there remained no sign of activity here by white people until the advent of the mining period when it became the most prominent crossing on the river. With the opening of other roads and construction of bridges the ferry business by 1909 had so dwindled that the location was



abandoned. At the present time this particular section is given over to the caprices of the two rivers which are constantly seeking new channels. The last vestige of this historic building is said to have disappeared in 1870. The seat of political and commercial power has been transferred to the beautiful city of Boise situated 50 miles farther up the Boise river.

Reverting briefly to the south bank of the Snake I would mention that section of the old trail lying between Succor creek, on the Idaho side, and the Owyhee river on the Oregon side of the state line. The trail crossed Succor creek about five miles back from the Snake and ascended to a high plain for a distance of several miles when it again descended into the Snake river bottom some miles below what is known as the Big Bend. It may be recalled that it was in this vicinity that Robert Stuart picked up our three Kentucky hunters whose melancholy fate on Boise river already has been mentioned.

On the high plain referred to is the spot where, about noon of Sept. 13, 1860, the Vanorman train was attacked by the Indians, eleven of the party killed and the entire train of eight wagons, after thirty-six hours of continuous fighting, were set on fire by the victorious savages and nearly 100 head of stock and all the provisions of the company appropriated. Some thirty-four members, mostly children, escaped when the torch was being applied to the wagons and after untold suffering established a camp on the Owyhee about ten rods above the point where the trail crossed that stream. Here they remained until October 17th when they were rescued by a company of troopers from Walla Walla under command of Captain Dent. So furiously did the massacre rage when the train was set on fire that those who escaped were unable, except for a part of a loaf of corn bread, to provide themselves with any provisions whatever, and out of the thirty making their escape eighteen were children, several of whom were too small to walk. In the annals of pioneer tragedies I know of but one that parallels this—the Donner party of 1846. Of the thirty-four who went into camp at the Owyhee far less than



half survived the awful ordeal. That we should allow the capacious maw of oblivion to claim the deeds of our heroic pioneers is a good and sufficient cause to make even the stoutest heart weep.

I shall here make a few observations relative to the age of the Snake river trails. Peter H. Burnett, who crossed the plains in 1843, verifies the statement of many others that the Fort Hall bottoms had been a great resort for buffaloes and adds the statement that "We saw the skulls of these animals for the last time at Fort Boise, beyond which point they were never seen." His remark, however, applies to the immigration of that year, for earlier travelers had observed the skulls as far west as the Powder river valley, west of which place I have never heard of any trace of this historic animal.

It would appear, therefore, that, when the white man invaded the Old Oregon territory, the buffalo herds were receding toward the east. As a cause of this recession we may, with some degree of certainty, I think, look to the acquisition of the horse by the Indian as a primary explanation. Following the discovery of the New World in 1492, we find the natives, as early as 1504, struck dumb with amazement upon the discovery that the Spaniards were transporting their baggage upon the backs of four-legged slaves of the most strange and wonderful proportions. We find them in Cuba in 1511, in Mexico by 1521 and as far north as Santa Fe, Utah and even Kansas as early as 1542. It is reasonably safe to conclude, therefore, that the horse was in general use among the Coast Indians as early as the beginning of the 17th century.

That the recession of the vast buffalo herds began on the southern and western borders of their original feeding grounds, to be followed closely by a general retreat from the Atlantic slope, is equally certain. By 1832 white men had joined with the Indians, the use of fire arms had become general, and the wanton slaughter was on. In the fall of 1883, I stood on the bank of the Missouri river at old Fort Pierre and watched a steam boat from up river make its landing. Going aboard I observed a consignment of fifty tons of buffalo hides and,

upon inquiry, was informed by the gray-haired captain that they were taken on the head waters of the Marias river and loaded at Fort Benton. "But, young man," he continued, "if it's buffalo you are looking for you are too late. The hide of the last wild buffalo on the plains is in that shipment." My conjecture is that the deep winding furrows of the old Oregon trail were made after the introduction of horses by the Spanish during a period not later than the dawn of the seventeenth century, and that the recession of the vast herds of buffalo from both the east and the west was the primary cause of its original existence.

I shall now hasten my long-deferred conclusion. That the pioneers who immortalized the Oregon trail lived not in vain is evidenced by some very interesting epochs in the annals of America. On May 2, 1843, 102 of these empire builders joined in a convention at Champoege and set in motion the political machinery which added a star to the flag. Then a small unit of the emigration of the following year displeased, doubtless, on account of the crowded conditions of the Willamette country, opened farms near Olympia in 1845, gave us the great state of Washington, and still the flag goes marching on. January 24, 1848, James W. Marshall, impelled by the purpose of building a mill, set his pick into the golden sands of American river and, lo! the state of California was blazoned into the blue field of Old Glory. During the summer of 1860 a small party of these irrepressible pioneers, under the leadership of E. D. Pierce, encamped on the Weippe meadows within a stone's throw of the Lewis and Clark trail of 55 years before, and from the blaze of that camp fire we may now in fancy see the familiar outlines of the great state of Idaho; and still the flag goes marching on. Two years later John White and William Eads encamped on Willard's creek, and Montana in a short time came into the Union.

The population of the five states mentioned is already in excess of 7,000,000 souls, and the assessed valuation of both real and personal property is perhaps more than \$7,000,000,000, though development is hardly begun. The far-seeing eye of

Divinity only can fathom the future. Glorious heritage! May the final reunion of the pioneers in the realms of a joyous eternity be, after all the achievements, his richest reward.

We will now take a final view of the Snake river as we of a later generation have placed it in history. After the camp fires of the emigrant had ceased to burn along the line of the Oregon Trail, and its unnumbered graves had been leveled by the winds of time, a new and a startling element entered into the world's industrial affairs. Though we know not what it is, nor from whence it comes, nor whither it goes, it is, nevertheless, an element destined to revolutionize the efforts and revise the rewards of man. We call it hydro-electric power.

By the use of this mysterious gift of nature we no longer use the water power to turn the shaft of the mill situated on the bank of the stream, but to operate the generator which, with the use of transmission lines, conveys the power to the remotest fields of civilization. Its marvelous energy has, to a large extent, invaded the industrial world, nor is it any less a potent factor in the laboratories of science than in the boundless fields of domestic economy. In transportation it is destined to supplant the steam locomotives in the near future, for already the monster electric locomotives, weighing two hundred and eighty-four tons each, speeds through the Rocky Mountains hauling their eight hundred ton transcontinental trains with the utmost ease. What a marvelous evolution; what a gift from the benevolent hand of God; what a boon to the toiling masses!

As a power river the Snake ranks with the greatest in the world. Its vast volume of water has a total fall, from source to mouth, of more than one mile, and, in the meantime, it develops a minimum of 1,400,000, and a maximum of 2,900,000 H.P. The latest information available would indicate the development at the present time to be about 120,000 H.P. I pay for power \$28.00 per H. P. per season of five months, but putting it down to \$10.00 per annum the Snake river would appear to possess an annual earning capacity equal to \$14,000,000, and a maximum of \$29,000,000. Thus it seems that "the

stone which the builders rejected has become the chief stone of the arch."

The state of Idaho, with a population of 450,000, has a property valuation, according to a tax commission report, of about \$500,000,000. Though as a start we are but 28 years old, we have an indebtedness, including state, county, municipal, school, highway, etc., amounting to \$17,000,000, upon which we pay an interest charge of about \$3,000 per day. This interest charge, added to our annual running expenses, makes a burden of \$11,000,000 which the people, 80 per cent of whom live within the Snake river watershed, must pay each year for taxes.

As a sequel I crave your pardon if I find it necessary to lead you far afield once more. At the time the Champoege convention was being held, May 2, 1843, a little six-year-old boy in Hartford, Conn., was making his first attempt to master the alphabet. That he well succeeded is indicated by the fact that he finished his education at the University of Gottingen, Germany, before he reached his 20th year. During the period 1860-5, when states were springing up in the vast territory embraced in Old Oregon, and when the great question of secession was being settled by the arbitraments of war, this young man entered the banking business in the city of New York.

Some light as to his success in his chosen work is furnished in a governmental report\* published and distributed in 1912, and from which we learn that this man, together with his immediate associates, controlled at that time, \$22,245,000,000 out of a grand total of all property in the United States given as \$187,739,000,000. In other words he then controlled about one-eighth of all the wealth in the country. You have already guessed the name of the famous American citizen referred to, the late J. Pierpont Morgan.

When the Hydro-power was sufficiently developed to insure its continuous and permanent use, Mr. Morgan, as a minor achievement, organized the General Electric Company, of which The Idaho Power Company is said to be a subsidiary concern. During 1915 the latter company took over the

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\*The Pujo Congressional Report.



ownership and control of practically all power plants on the Snake river except one, the Minidoka plant which is owned by the government, and is now operating them in the interest of the parent company. The homebuilders and taxpayers of Idaho as a state have received no direct benefits from the wealth which the waters of Snake river, until the last decade, has been wasting into the sea.

From the Chicago Tribune, March 21, 1918, I note the following relative to the Idaho Power Company: "The Idaho Power Company, operating without competition, serves with electric light and power the Snake river plains, extending across southern Idaho and into eastern Oregon." I might add that every plant they have and every mile of transmission wire are, practically, within sight of the old Oregon Trail. I gain the further significant fact from this paper as follows:

"This company operates under the jurisdiction of the public utilities commission of the state of Idaho and the public service commission of the state of Oregon."

I have mentioned the fact that, at the present time, the power development of the Snake river is equal to about 120,000 H.P. Of this amount the government owns and operates at the Minidoka plant 10,000 H.P. This would indicate that the Idaho Power Company has developed about 110,000 and, according to the official report published in the paper mentioned, they have in actual use 32,000 H.P. It further shows that the

Gross earnings are.....	\$1,137,425
Operating expenses, including taxes	
and maintenance .....	579,201

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Net earnings .....	\$ 558,224
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The report shows, moreover, that this 32,000 H.P. if sold at an average of 5½ cents per kilowatt, and they operate 24 hours per day, would yield the company a net profit of \$10,543,180. or a sum equal to 5 per cent interest per annum on \$210,863,680. In a statement before the Idaho board of equalization the company placed a value upon their property of \$2,651,000.

You have observed that this company operates under the



jurisdiction of the public utilities commission of the state of Idaho and the public service commission of the state of Oregon, and that it operates without competition.

I should conclude, therefore, that the Snake river has passed into the control of a monopoly, owned by individuals and operated for a profit, under exclusive rights conferred by the state. If my conclusions are well founded we have revived the policy of granting monopolies which has always been opposed by the English common law as far back as the beginning of the seventeenth century, and, likewise, a policy which never has been in good repute in the United States.

Unless the people of our country accept these conditions as permanent, on the grounds of public policy, the problem is yet to be solved. In its solution there are, as far as I know, but two theories to be considered. First—a state monopoly owned and operated for the benefit of all the people. Second—the abolishment of monopolies by opening the power possibilities to all citizens alike under the jurisdiction of the state which should oppose all forms of special privileges. The present condition represents the theory of imperialism; the first remedy represents the theory of German socialism; the second remedy is the usually accepted American plan, inasmuch as the government, according to this theory, is employed in the highest development of the power and efficiency of the individual.

Socialism, under its several forms, is now a greater menace than it has been before in our history. The entire philosophy of Socialism is of German origin and is contained in a book known as "Das Kapital" written by Karl Marx. It is the bible of Socialism no matter in what country or under what name. It is based upon five elementary principles which are, 1—class hatred; 2—abolition of national boundaries; 3—abolition of the family relations; 4—abolition of religion; and 5—abolition of property rights. These are the five great rocks upon which our constitution was conceived, and they are the five elementary features of government that have made us, in a short period of 142 years, the most powerful and progressive people in the world.

The charge that capital has invaded the rights of the individual, together with the socialist propaganda during the past 40 years, have not been barren of results. Class hatred is being advocated without restraint and the doctrine of a league of nations has already diverted our attention from Washington's solemn warning. Our population statistics, when compared with the Bulletin of Church Statistics, indicate, appalling as it may appear, that the increase of church communicants as compared with the increase of population is falling behind at the rate of nearly one million per year. (Reports for 1915-16 published in 1916-17). Open attacks upon the rights of property have been made with such persistency that the paramount feature of the next national election will probably be the federal ownership and operation of all public utilities, including railroads, telegraph, telephone and power plants in the United States.

This bewhiskered quarrel between labor and capital should be settled before the two form a coalition and crush the great middle class whose rights are seldom mentioned. The signs of the times point to this very thing. The Snake river offers a favorable opportunity for the test. Capital, operating under the protection of the state, and without competition, doubtless, would seek an alliance rather than decapitation. At any rate the power wealth of Snake river, in my opinion, is destined to precipitate the final settlement. Let us indulge the hope that this picturesque and powerful river, with a name fraught with so much historic beauty, may, ultimately, occupy a high place in history and that its unmeasured wealth may tend to solidify rather than undermine, the principles of government which have made us great in the eyes of the world.



## THE NORTHERN BOUNDARY OF OREGON

By T. C. ELLIOTT.

During twenty-five years prior to June, 1846, the history of Oregon included as its principal theme the dispute between the governments of the United States and Great Britain as to where the boundary line should be located between their respective future territories. On the part of the United States the forty-ninth parallel of north latitude was early proposed and quite consistently held to although the political cry of "fifty-four forty or fight" was not unheard for a time. On the part of Great Britain the course of the Columbia river was considered a fair compromise line, but without entire disavowal of rights to all the country north of California or the forty-second parallel. In the two previous issues of this Quarterly attention has been directed to the first overt act of the United States government toward asserting sovereignty over the Columbia River Country or Northwest Coast of America, as it was then called; and the influence of that act in the later discussions of the boundary question. Mention was made in the Quarterly for December, 1918 (pp. 276-7) of an early request by the Secretary of the Foreign Office of Great Britain to the Hudson's Bay Company for the removal of the principal trading post of that company from the south to the north side of the Columbia river. It is now proposed to present the document which contains the authority for that interesting statement.

This publication has been made possible through the courtesy of Dr. Otto Klotz, chief astronomer of the Dominion of Canada, who during years of service has accumulated in his office at Ottawa much valuable data relating to the scientific and physical location of this boundary line as established by treaty and the diplomatic discussions leading up to it. The Amer. Geographical Review for May, 1917, contains an interesting article by Dr. Klotz entitled "The History of the Forty-ninth Parallel Survey West of the Rocky Mountains."

In the course of his personal research the archives of the Hudson's Bay Company at their head office in London were examined and he was permitted to make copies of certain letters therein. These were later printed by the Canadian Government in a confidential volume and the seal of confidence has now been removed for the use of this Quarterly, being of special interest to residents of Oregon and pertinent to the series of articles now appearing in its pages upon The Federal Relations of Oregon.

Hon. George Canning, to whom this particular document is addressed, was from 1822 to 1827 the most influential man in England, if not in all Europe. He was connected with political life in England from 1793 on, with various vicissitudes, and following the suicide of Lord Castlereagh became the Secretary of the Foreign Office in Sept., 1822, and continued as such until his sudden death in August, 1827. From the statements in this letter it is evident that his attention was early directed to the relatively unimportant question of British interests in far-away Oregon. In the United States in 1817, when President Monroe contemplated sending the "Ontario" to the Columbia river to assert publicly our claim of national sovereignty he directed that John Jacob Astor of New York, be informed of the plan; Mr. Astor was the leading fur trade merchant in America. In England in 1822, when, following the coalition with the "Northwesters," the Hudson's Bay Company contemplated the expansion of operations on the Pacific Coast the ear of the Foreign Secretary was sought to urge that some permanent arrangement be made as to British authority over the Northwest Coast of America. Thus we find that it was the prime beaver skin of the Columbia river basin in its abundance which attracted the attention of both England and America to Oregon; the symbol of the pound sterling and American dollar preceded both the flag and the cross in both discovery, and exploitation. And the purely commercial interests involved also undoubtedly occasioned the delay in final determination of the dispute by means of the treaties of joint policy.



The exact date of this request by Sec. Canning is not stated in the document but under usual course of procedure it would have been made not later than the winter of 1823-24, when Gov. Simpson was (presumably) in London. We have record of the arrival of Gov. Simpson and Dr. McLoughlin at Fort George (Astoria) in November, 1824 from Norway House, Fort William and Montreal overland. We also know that Secretary Adams and U. S. Ambassador Rush were discussing the Oregon question with Secretary Canning during 1822-1825.

The statements in this document will serve to correct some errors of popular belief or conclusion as to the establishment of Fort Vancouver on the Columbia river in 1824-25; facts not new, however, to close readers of our history. Doctor John McLoughlin did not select the site or the name for that important trading post but was merely the efficient administrator in its erection and the transfer of headquarters. At some future date the writer hopes to contribute an adequate account of the influence and activities of Gov. George Simpson in the course of events on the Columbia river.

Governor Pelly's historical resumé cannot be considered other than a partisan statement of the British claims to the Oregon Country, though some of his errors were due to lack of knowledge. The boundary line he suggests is essentially the same offered by England in 1842 but as alternative Lord Ashburton was then authorized to offer the line of the Kootenay river from the Rocky Mountains to the Columbia and thence along the Columbia to the ocean. However, discussion of the Oregon boundary was not undertaken by Secretary Webster and Lord Ashburton in 1842.

[DOCUMENT]

Journal 721.  
p. 255.

Hudson's Bay House,  
London, 9th December, 1825.

To

The Right Honble.  
George Canning,  
&c., &c.

Sir,—With reference to the several communications which

I have had the honor of having with you on the subject of the Country situated on the North West Coast of America and to the West of the Rocky Mountains I have now the honor of requesting your attention to the following circumstances, which it may be of importance to consider in any negotiation for settling the Boundaries with the United States to the West of the Rocky Mountains.

I need not remind you that Capt'n. Cook in 1778 explored the Coast from Cape Gregory in Lat.  $43\frac{1}{2}$  to Lat.  $70^{\circ}$  and that Spain by the Convention<sup>1</sup> 28th October, 1790, abandoned all particular claim beyond what she at that time held in actual settlement and that consequently the United States cannot have any claim under their purchase of Louisiana from Spain.

In 1778<sup>2</sup> Captains Gray and Kendrick (in command of the Columbia and Washington) were fitted out at Boston for a trading voyage on that Coast and are supposed to have been the first Americans who engaged in that Trade but they did not enter the River Columbia,<sup>3</sup> and it is well known that British Subjects<sup>4</sup> have been carrying on a trade on that Coast previous to the voyages of Captains Gray and Kendrick. The River Columbia was not explored until 1792 when Lt. Broughton entered it in the Chatham and anchored at Red Patch,<sup>5</sup> about 12 miles inland from Cape Disappointment, he then proceeded with the Cutter and Launch up the River as far as Vancouver's Point. Vancouver in Vol. 2, page 66, says "previously to his (Mr. Broughton's) departure however he formally

1. Article V of the Nootka Sound Convention of October 28th, 1790, reads as follows:—"It is agreed that as well in the places which are to be restored to British subjects by virtue of the first article as in all other parts of the North-west Coast of North America or of the islands adjacent situated to the north of the parts of said coast already occupied by Spain, wherever the subjects to either of the two powers shall have made settlements since the month of April, 1789, or shall hereafter make any, the subjects of the other shall have free access and shall carry on their commerce without disturbance or molestation."

Any right, title or interest of Spain to the Northwest Coast of North America was conveyed to the United States through the Florida Purchase of 1818; not through the Louisiana Purchase.

2. The Columbia and Lady Washington sailed from Boston on September 30, 1787, and arrived at Nootka in September, 1788.

3. Governor Pelly in this paragraph merely reiterates the argument of Captain George Vancouver and Lieutenant Broughton that the mouth of the Columbia river was thirty-five miles from the ocean (between Cathlamet Point and Skamokawa) and that Captain Gray entered merely the bay or estuary into which the river flows.

4. Captain James Hanna in 1785 and 1786. Captains Lowrie and Guise in 1786. Captain Barkley in 1787. Captains Portlock and Dixon, 1786-7. Captain Meares, 1786-7. Captains Colwitt and Duncan, 1787, and others.

5. Red Patch is presumably the treeless knob on Scarborough Head (Fort Columbia of the present day) where the bushes turn brown in color in the autumn; plainly visible from the entrance to the river. This point is twelve miles from the ocean but Lieutenant Broughton's anchorage was just below Frankfort, opposite Astoria, more than fifteen miles from the ocean.

took possession of the River and the Country in its vicinity in His Britannic Majesty's name having every reason to believe that the subjects of no other civilized Nation or State had ever entered this River before; in this opinion he was confirmed by Mr. Gray's sketch in which it does not appear that Mr. Gray either saw or was within five Leagues of its entrance."

According to Lt. Broughton's observations, Vancouver's Point<sup>6</sup> is situated in Lat.  $45^{\circ} 27'$  and Long.  $237^{\circ} 50'$  computed to be about 100 miles from the mouth of the river.

In 1793, Sir Alexr. McKenzie crossed the Rocky Mountains and reached the coast about Lat.  $52\frac{1}{2}$  and soon after<sup>7</sup> that time the North West Company of Montreal established trading Posts in the Country West of the Rocky Mountains on the head waters of the North Branch of the Columbia among the Flathead and Coutonais Tribes, and continued gradually to explore the country and extend their Trade towards the Coast down the Columbia as well as to the Northward.

Cpts. Lewis and Clark in the command of an expedition fitted out by the American Government, ascended the Missouri, crossed the Rocky Mountains, descended the South branch of the Columbia called in "Arrowsmiths' map" "Lewis's River" and which falls into the main or North Branch in Lat.  $46^{\circ} 15'$ ; they proceeded to the mouth of the River and passed the winter 1805-6 at Young's Bay, on the South side of the River. At this period,<sup>8</sup> the British fur traders had pushed their trading post nearer to the junction of the Lewis's River with the North Branch of the Columbia River. In 1809 an Association<sup>9</sup> composed of British and American subjects was formed in New York for the purpose of carrying on the fur Trade on

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<sup>6</sup> As to the true location of Point Vancouver, see *Or. Hist. Quar.* Vol. 18, page 73.

<sup>7</sup> The first trading post established by the North-West Company on Columbia river waters was by David Thompson in July, 1807, near the source of the river and called Kootenais House. In November, 1809, another trading post was established by Mr. Thompson among the Saleesh or Flathead tribe in Montana; and Spokane House on that river in 1810.

<sup>8</sup> There were no trading posts at all west of the Rocky Mountains on rivers draining into the Pacific in 1805 but in 1806 Simon Fraser established two trading posts on the waters of the Fraser river at Lake Stuart and Fraser Lake.

<sup>9</sup> The organization of the Pacific Fur Company is narrated in Irving's "Astoria" and by Mr. Astor himself in his letter dated January 4th, 1823, and addressed to Secretary of State John Quincy Adams; this is printed in full in the Appendix of Greenhow's History of Oregon. Mr. Astor states that he furnished ALL the capital for the enterprise and that the British subjects connected with it were partners only for a share in any profits. Those subjects were Alexander McKay, Duncan McDougall, Donald McKenzie, David Stuart and John Clarke. They reached the Columbia in March, 1811. (McKenzie in 1812.)

the North West Coast under the Firm of the Pacific Fur Company. They fitted out two expeditions one by land and the other by sea for the Columbia where they arrived in 1810 and established themselves on the South side of the River, naming their Settlement "Astoria" after their principal partner Mr. Astor of New York. The North West Compy. of Montreal however continued to extend their Trade with the Natives and in 1813 established themselves on the Coast within a few yards of the American settlement of Astoria.<sup>10</sup>

The Americans had remained at Astoria and from time to time sent parties into the Interior, but had not made much progress in establishing themselves in the country, when in 1813 they sold their buildings at Astoria (which was afterwards named "Fort George") with the whole of their stock in trade in the Country to the North West Company as per Bill of Sale (Copy of which is annexed) and abandoned the Country. Since that time no American Trader has appeared nor has any settlement been formed by any others than the British Fur Traders.

Upon reference to the above circumstances and to the dates of the transaction it does not appear that the Americans can establish any just claim to the Country on the Columbia or to the Northward of it, and that by actual possession Great Britain alone can establish a legitimate Title. In 1818, Captain Hickey of H. M. S. Blossom accompanied by Mr. J. B. Prevost, Agent for the United States Government arrived at the Columbia and delivered to Mr. James Keith of the North West Company, then in charge of Fort George, a letter from Earl Bathurst dated 27th January, H. M. S. Andromache, and in consequence Mr. Prevost took formal possession of the Settlement as his acknowledgment.<sup>11</sup> Copies of these documents are annexed but I think it right to observe that the Settlement and whatever had been previously occupied in that Country by American subjects had been acquired by the North West Company by purchase for a valuable consideration and not by Capture.

By the Convention 20th October, 1818, between Great Britain and America the Trade of the Country to the West of the Rocky Mountains is left open to the subjects of both

<sup>10</sup> We have the narrative of two eye-witnesses of how the large party of "Northwesters" "established (?) themselves within a few yards of the American settlement of Astoria" in October, 1813; Gabriel Franchere and Alexander Ross. See *Franchere's Narrative*, pp. 190-93, and *Ross' Oregon Settlers*, p. 254.

<sup>11</sup> For Mr. Prevost's official report of this event see *Or. Quar.* Vol. 19, p. 277.



Nations for ten years without prejudice to the claim of either Nation; but no American subjects have as yet availed themselves of this privilege. The British Fur Traders however have never withdrawn from the Country since they first entered it; on the contrary they have gradually and at much risk and expense increased their Settlements which now amount to thirteen in number (besides temporary Stations which are occasionally changed) and extend over a Country exceeding fifteen degrees of Latitude, say from Lat. 45° to North of Lat. 60°.

In the year 1821 the Hudson's Bay Company made an arrangement with the North West Company of Montreal by which they acquired possession of all the trading Posts and Stock of that association, and now under their Royal Charter and His Majesty's License the whole Indian Trade of British America to the North West of Canada is carried on by the Hudson's Bay Company. In order to acquire more correct information respecting the country on the West of the Rocky Mountains and for the purpose of carrying into effect some measures connected with extending our Trade on the North West Coast, Governor Simpson was directed to proceed thither last season, and after an arduous and fatiguing journey he accomplished an extensive survey of the Company's Trading establishments and is now in London. He will remain here until the beginning of February, and will attend any appointment that you may be pleased to make should you wish to be possessed of any further information respecting that Country. Whilst at Fort George, Governor Simpson fitted out an Expedition under the direction of an intelligent officer, Mr. Chief Trader McMillan, for the purpose of exploring the coast to the Northward.<sup>12</sup>

In the course of his survey he discovered the entrance of Fraser's River between Capes Roberts and Gray in about Lat. 49° 15'.<sup>13</sup>

The mouth of this River was not discovered by Vancouver nor by the Subjects of any civilized Nation until Mr. McMillan visited it last Winter, but the upper part of the River, and down to within 20 miles of the sea was explored by Messrs.

<sup>12</sup> For day-to-day account of this expedition, see *Journal of John Work*, in *Wash. Hist. Quarterly*, Vol. 3, p. 198.

<sup>13</sup> Later research has rendered this statement erroneous. Simon Fraser is believed to have arrived within sight of the mouth of the river and of the gulf into which it flows. See page 279 of "*British Columbia*," by F. W. Howay and E. O. S. Scholefield.

Fraser and Stuart, partners of the North West Company in the year 1808. I annex extracts from Mr. McMillan's report and as this country appears to be rich in fur bearing animals we have it in contemplation to form permanent establishments therein next Summer,<sup>14</sup> to push our discoveries to the Northward both inland and on the Coast, and to embark a considerable capital in endeavoring to secure to Great Britain the benefits arising from an exchange of British manufactures for the produce of that Country with its numerous inhabitants.

In compliance with a wish expressed by you at our last interview Governor Simpson when at Columbia abandoned Fort George on the South side of the River and formed a new Establishment on the North side about 75 miles from the mouth of the River at a place called by Lt. Broughton Bellevue Point.<sup>15</sup> Governor Simpson named the new establishment "Fort Vancouver" in order to identify our claim to the soil and trade with Lt. Broughton's discovery and survey.

He considers the soil and climate of this place to be so well adapted for agricultural pursuits, that in the course of two or three years it may be made to produce sufficient grain and animal provisions to meet not only the demands of our own trade but to almost any extent that may be required for other purposes; and he considers the possession of this place and a right to the navigation of the River Columbia to be quite necessary to our carrying on to advantage not only the trade of the upper parts of the Columbia River but also that of the country interior from the mouth of Fraser's River and the Coasting Trade, all of which can be provisioned from this Place. Under existing circumstances I respectfully submit to your consideration whether it might not be advisable to endeavor to arrange a boundary line between Great Britain and the United States in that country to the West of the Rocky Mountains more especially as the attention of Congress has been called to the subject, and in an American map lately published the line of Lat. 49 is continued from the Rocky Mountains to the Sea Coast, and the Country to the South of that line is described to be United States Territory, which at some

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<sup>14</sup> Fort Langley on the Fraser river was established by James McMillan in July, 1827.

<sup>15</sup> This identification of Bellevue Point adds interest to the historic site of Fort Vancouver; from the narrative by Mr. Broughton or Captain Vancouver it is difficult to locate this Point. It is hardly correct that Fort George was abandoned, however, for a trading post was maintained there until 1849 or 1850, when taken over by the U. S. army and custom officers.

future period might be made use of by the American Government. This line would deprive Great Britain of a valuable country now occupied and traded by the Hudson's Bay Company, and would occasion many practical inconveniences in carrying on the trade of the Country which would be left to us.

But as I have already stated it does not appear that the Americans can establish a just claim to any part of the country either to the South or North of the Columbia River, and as the free navigation of that River is necessary to our carrying on the Trade I have endeavored to fix on a boundary which would answer the views of the Hudson's Bay Company, without pushing the claims of Great Britain to their full extent.

I have therefore to suggest that starting from Lat.  $49^{\circ}$  at the Rocky Mountains the line ought to be continued Southward along the Height of Land to the place where Lewis and Clark crossed the Mountains, said to be in Lat.  $46^{\circ} 42'$ , thence Westerly along the Lewis's River until it falls into the Columbia, and thence to the Sea, leaving the navigation of both these rivers free to the subjects of both Nations. This line would leave to America the Trade and Possession of an extensive and valuable Country and would furnish fewer opportunities of collision between the Traders of the two Nations than any other line that could be suggested.

I send herewith a map on which the line<sup>16</sup> which I have taken the liberty of suggesting is colored, and on which the Trading Posts<sup>17</sup> now occupied by the Hudson's Bay Company are marked.

I have the honor to be, with the greatest respect, sir

Your most obt. humb Servant

J. H. P. GOVR.

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<sup>16</sup> This map is not available for reference. Lat.  $46^{\circ} 42'$  is very close to the Lolo Trail by which Lewis and Clark crossed the Bitter Root range, but that ridge does not form the continental divide. This boundary line as described would leave the Rocky Mountains at Lemhi Pass in Central Idaho and follow the Lemhi and Salmon rivers to the Snake, the Snake to the Columbia and the Columbia to the ocean. Salmon river in Idaho is the stream which was named Lewis river originally by Captain Clark and which should carry that name at the present day.

<sup>17</sup> These trading posts, thirteen in number, were listed in a later letter by Governor Simpson, dated January, 1826, as the following: Vancouver, Nez Perce (Walla Walla), Okanogan, Colville, Flathead and Kootenais (in the basin of the Columbia; Fort George is omitted), Kilmany, Fraser's Lake, St. James, Chilcotin, Alexandria and Thompson's River or Kamloops (in the basin of the Fraser river), McLeod's, (on Peace river waters).

## LIST OF PAPERS INCLOSED.

1. Bill of Sale, Pacific Fur Company to North-west Company.
2. Letter from Early Bathurst dated 27th January, 1818. Instructions of Captn. Sheriff of H. M. S. Andromache. Mr. I. P. Prevost acknowledgement of possession.
3. Extract from Mr. McMillan's report of Voyage and Survey from Columbia to Fraser's River, 1826.
4. Map of North America.



## THE FEDERAL RELATIONS OF OREGON—IV

By LESTER BURRELL SHIPPEE

### CHAPTER VII

#### THE NEGOTIATIONS OF 1842-1845

Beginning in 1839 Congress was deep in the discussion of Dr. Linn's various resolutions and bills; the Oregon issue was already showing a tendency to leave the realm of questions of fact to be settled between two governments, and was assuming that political guise which was to characterize it until the final decision. The British government, apparently long forgetful of the Northwest Coast, was stirred to inquiry if not to immediate action. The channel through which information might be derived was that which served, as almost the only connecting link between the disputed region and the government; that is, the Hudson's Bay Company. Sir John Pelly, head of the organization, was requested by Lord John Russell and Lord Palmerston to furnish the government with such information as might be deemed useful to it, especially in view of the fact that Sir George Simpson, in 1841, was just departing for the Columbia River. Sir George, therefore, gave the British government the material facts about the actual situation in Oregon.

His dispatch to the officials of the Hudson's Bay Company, written in November, 1841,<sup>1</sup> gave an account of the settlements made by the Americans, the number of people in each, their condition and the influence exerted in the land. He noted that the missionaries, who formed almost the whole number of Americans, seemed to be making more rapid progress with the extension of their settlements than in the ostensible objects of their residence in the country; he could not learn that they were successful or making much progress in moral and religious instruction of the natives. Inferences

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<sup>1</sup> Letter printed by Schafer, *Am. Hist. Rev.*, XIV, 73-82, from *F. O., Am. Domestic and Various Papers*, Jan. to Mar. 1843.

from this remark were no doubt strengthened by Sir George's account of finding at Vancouver in August, 1841, Wilkes at the head of an American government exploring expedition. Wilkes, he wrote,<sup>2</sup> was not communicative as to his surveys and examination of the country, but from an "intelligent and confidential" member of the party he learned that the Commodore was intending to recommend that his government claim the whole region from 42° to 54° 40'.<sup>3</sup> Simpson's informant, however, held more moderate views;<sup>4</sup> *he* intended to recommend a line through the Straits of Fuca to the mainland south of Whidby's Island, thence straight to where the Nez Perce (Snake River) emptied into the Columbia. This, he maintained, could not be refused by the British government, for the justice of allowing the United States the portion of territory with its harbors inside of Cape Flattery could easily be seen; if the southern line of the Columbia should be taken no secure harbor would fall to the United States. Sir George took occasion to impress the Governor of the Hudson's Bay Company with the significance of this statement and wrote, "I trust you will urge Her Majesty's Government not to consent to any boundary that would give the United States any portion of the Territory north of the Columbia, as it would deprive the British of the only valuable part of the territory, the country north of the Straits of Fuca not being adapted to Agriculture, or other purposes connected with colonization."

The report also called attention particularly to the fact that Wilkes had sent one division of his party overland through the Willamette valley and on into California to San Francisco Bay, near which the Russian settlement at Bodega was located. This post was of especial interest to the Company and to look into the question of its acquisition had been one of the main reasons for sending Simpson to the Pacific Coast.<sup>5</sup> A little

<sup>2</sup> Simpson to Pelly, dated 10 Mar., 1842, Honolulu; *Ibid.*, 86-93.

<sup>3</sup> Schafer says this was probably Captain Wm. L. Hudson, second in command.

<sup>4</sup> Wilkes did make such a recommendation in strong terms, but his report was not allowed to come before Congress. See Chapter V.

<sup>5</sup> See Adams, *British interests and activities in Texas, 1838-1846*, on the topic of Simpson's orders to look into the matter of the Russian settlement in California as a possible means of securing for the company and for England a foothold at San Francisco Bay.

later Sir George learned, when at Sitka, that the Russian American Company had sold their holdings at Bodega to a Swiss because the post had always been unprofitable. "The sale," he commented, "was effected previous to my arrival or I would have made the purchase for the Hudson's Bay Company as a basis for a future claim by Great Britain." Evidently the unattainable had greater attractions than that which might have been secured, for Sir George had reported in November that the Russians were in California in defiance of the Mexicans who were powerless to drive them out, even though the former admitted that they had no title to the soil other than that afforded by occupation; he had further stated that the title which the Russians could give would be of no value unless backed by eighty or one hundred men, so he could see no use in purchasing on any terms.

These reports are interesting for the light they throw on the attitude of the Hudson's Bay Company which was the most important influence working with the British government to prevent a compromise at 49° or on any line which would not leave the whole of the Columbia River to the free and unhampered use of the Company. This influence was recognized by those American ministers in London who had occasion to deal with the Oregon Question and it was magnified into a sinister power by the Oregon men in Congress.

Lord Ashburton, when he was in the United States to negotiate the question of the Northeast Boundary, had heard that Wilkes was going to urge the United States to claim to 54° 40'.<sup>6</sup> It was partly on this account, partly because he wished to help clear up all outstanding issues between his own and the government of the United States, that he left America regretting that he could have done nothing with the Oregon dispute.<sup>7</sup> He advised the Foreign Office to push the matter immediately since the great controversy, that over the Maine boundary, was settled and so could no longer be endangered

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<sup>6</sup> Ashburton to Aberdeen, 29 June, 1842. *F. O. Am.* 379; quoted by Schafer, *Am. Hist. Rev.* 1911, 297.

<sup>7</sup> Everett to Webster, 19 Oct. 1842. *No. West Bound. Arb.*, 27.

by the introduction of Oregon issues. Lord Aberdeen was no less anxious to remove all menace to good understanding between the two nations and accordingly instructed Fox in Washington to propose to Webster that the American minister in London be furnished with instructions and full powers to negotiate, assuring the American Secretary of State that the British government was prepared to proceed in a spirit of fairness.<sup>8</sup> This suggestion met with the approval of President Tyler although the opening of Congress in December, 1842, came before anything was done to start negotiations.

Tyler's Annual Message of this year, after stating that it became evident that nothing could be done with the Oregon Question during the negotiations conducted by Lord Ashburton and Secretary Webster, went on to say,<sup>9</sup> "Although the difficulty referred to may not for several years to come involve the peace of the two countries, yet I shall not delay to urge on Great Britain the importance of its early settlement." Both this and the matter of commercial adjustments he believed would soon be taken up since "it will comport with the policy of England, as it does with that of the United States, to seize upon this moment, when most of the causes of irritation have passed away, to cement the peace and amity of the two countries by wisely removing all grounds of probable future collision." This presentation of the matter did not agree with the notion the British government had of the preliminaries; Fox wrote Aberdeen<sup>10</sup> that he would be surprised at the "inexact manner in which the message describes the state of negotiations." Aberdeen, too, expressed his regret at the statement, but felt that the affair would be seen in its true light when the correspondence was laid before Congress; however, in view of the facts it would have been more candid, he thought, had the President stated that he had already received from the British government a "pressing overture" for renewing

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8 Fox to Webster, 15 Nov., *H. Ex. Doc. No. 1*, 29th Cong. 1st Ses. Aberdeen read the dispatch to Everett before it was sent.

9 Richardson, *Messages*, IV, 196.

10 Fox to Aberdeen, 12 Dec. 1842, *Br. & For. St. Papers*, 34: 51.



negotiations.<sup>11</sup> Ashburton, in a private letter to Webster,<sup>12</sup> said it was well known that he would always strive to promote peace with America, "but I cannot deny that your Presidential speech made European politicians of all parties and all countries stare with unusual surprise." Furthermore he questioned if it was indeed a good time to negotiate, although if undertaken in good faith he had no doubt of a successful outcome. "It may be doubtful whether it might be possible to satisfy such men as Benton and Linn on the one hand, or your friend Cushing on the other. It is worse than a waste of time to be negotiating when the spirit of the time is adverse, for failure necessarily leaves behind much of irritation. . . . The best treaty could not satisfy those who are predetermined to find fault."

Something beside Congressional activity, however, was causing the American government to proceed slowly in accepting Lord Aberdeen's "pressing overture." The Texas affair was looming and with Texas there came the possibilities regarding California. To Tyler came the thought that Texas, Oregon and California might be brought together so that what was done with one region would serve to strengthen the other. He talked the matter over with Webster who further matured the project and passed it on to Everett in London.<sup>13</sup> The "political profligacy" which Adams so feared was working out. Webster reminded Everett of the Oregon agitation in Congress, telling him that the bill then under consideration was favored by Benton, Linn, McRoberts and other western gentlemen, while it was opposed by Calhoun, Berrien, Choate, McDuffie and others.

"This new outbreak of interest and zeal for Oregon has its origin in motives and objects this side of the Rocky Mountains. The truth is there are lovers of agitation; and when most topics of dispute are settled, those which remain are called on with earnestness and avidity. We feel the importance of

<sup>11</sup> Aberdeen to Fox, 18 Jan., 1843, *Ibid.*, 52.

<sup>12</sup> 2 Jan., 1843, *Private Correspondence of Daniel Webster*, II, 163, 565.

<sup>13</sup> Webster to Everett, 29 Jan., 1843 (private) *Writings and Speeches of Daniel Webster*, XVI, 393-6. See Chapter VI above.

settling this question if we can; but we fear embarrassments and difficulties, not, perhaps, so much from the object itself, as from the purposes of men, and of parties connected with it. Mr. Calhoun distinguished himself for his support of the late treaty. You know his position before the country in regard to the approaching election of President. Mr. Benton as leader of the Van Buren party, or at least the more violent part of it, is disposed to make war upon everything which Mr. Calhoun supports; and seems much inclined at present to get up an anti-English feeling. \* \* \*

"You know what is said about the cession of California to the United States; from you we learn that England would favor such a transaction, if it might be the means of settling the Oregon question. . . . It has occurred to me to consider whether it might not be possible to make a tripartite arrangement."

This arrangement, which Webster said was only a thought and not yet shaped into opinion, included these factors:

1. Cession of Upper California by Mexico to the United States.

2. Payment by the United States to Mexico for the cession of.....millions of dollars.

3. Of this sum, .....millions to be paid to United States citizens having claims against Mexico.

4. The residue to be paid to British subjects having Mexican bonds or other claims against Mexico.

5. The line between the United States and England in Oregon to run "pretty much as I mentioned to you," (i. e., approximately the line suggested to Simpson.)

"The truth is if we negotiate for Oregon alone, I hardly know what instructions to give you; because we cannot tell what sort of a treaty two-thirds of the Senate would agree to."

Webster said that he had mentioned the matter to Almonte but the latter had no instructions on which to base a discussion. The President favored a special mission to England, and if there should be a strong probability that Oregon and California could be taken up together Webster thought he would be nominated and probably would not decline; as it was, it was impossible to make any progress in Washington; "Fox and this Department do not make much progress." Webster's

apparent willingness to negotiate any line for Oregon which would receive the approval of the Senate testifies to his poor opinion of the value of that country, a fact which he mentioned to Everett.

While the British government was inclined to listen to Everett's presentation of Webster's project an insuperable difficulty presented itself; Mexico had no intention of even discussing a cession of California. Consequently the spring wore on and the negotiation lagged. Unofficially Everett was informed in March that soon he might expect a formal notification that the President had requested the British government to resume negotiations at Washington both for the boundary and for a new commercial convention.<sup>14</sup> But August came and the instructions had not been received, so Fox was directed to proceed with the subject if the Washington government so desired.<sup>15</sup> Upshur, who had replaced Webster, took the hint to the President who told the Secretary to direct Everett to take up the matter in London. The instructions allowed the minister to offer 49° as the boundary with the added privilege of allowing the nationals of both countries to navigate the Columbia on equal terms, but "beyond that the President (was) not prepared to go."<sup>16</sup>

The delay had been too great, so when Everett informed Aberdeen that he had powers to negotiate he was told that such an arrangement would have been welcomed earlier, but it was then too late since Fox had been recalled and Richard Pakenham sent in his place with special instructions on the Oregon issue. Among other reasons for the change it was felt that the Oregon negotiation would benefit by being placed in new hands although the course had not been adopted until all hope that Everett might receive instructions to proceed had been abandoned.<sup>17</sup> Everett still thought that he might accomplish something before the new minister left England.

<sup>14</sup> Webster to Everett, 20 Mar., *Private Correspondence of Webster*, II, 171.

<sup>15</sup> Everett to Upshur, 17 Aug., *No. West Bound. Arb.*, 28; Aberdeen told Everett that he regretted having to transfer the question to Washington for he had hoped that Everett might bring it to a successful issue in London.

<sup>16</sup> Upshur to Everett, 9 Oct., *No. West Bound Arb.*, 28.

<sup>17</sup> Blair to Van Buren, see note 14 above.

He had a long conversation<sup>18</sup> with Aberdeen in which he pointed out the advantages of 49° as a boundary, for it had been only where this line had been adopted, no matter what the topography of the country might have been, that there had been no controversy. Everett thought Aberdeen was impressed with the general import of his remarks; expressing the hope that Congress would do nothing at its next session to embarrass the negotiations "he (Aberdeen) said, if this can be avoided, 'I do not think we shall have much difficulty.'" Such a remark Everett interpreted to mean that Pakenham would go to America instructed to offer 49° with some sort of modification; recognizing the necessity of his own government's making some sort of a modification of its previous offers, he suggested that it was possible that all of Vancouver's Island might be yielded, although he added that he had no instructions on the point.<sup>19</sup> He felt that this had been a happy suggestion for at a later conference Lord Aberdeen told him that as 49° had long ago been offered and rejected the question was different than if it were coming up for the first time; each party must be expected to yield something from its original demands. "I regard this observation, now made to me for the first time, although the Oregon boundary since my residence in England has been the subject of very frequent conversation between Lord Aberdeen and myself, as very important."<sup>20</sup> Then Everett added to Upshur, in reporting the conversation, that Aberdeen had asked if he was confident of his statement and also wished it to be remembered that Great Britain had offered to cede certain territory north of the Columbia. Taking this as an indication that the British government was preparing to abandon its stand for the Columbia, Everett was in high hopes of an agreement; "I may be in error in this view of the subject; but it is the result of the closest consideration I have been able to give it, that the present government, though of course determined not to make

<sup>18</sup> Everett to Upshur (private and confidential) *Ibid.*, 29-30, 14 Nov.

<sup>19</sup> Everett to Aberdeen, 30 Nov., *Ibid.*, 32.

<sup>20</sup> Everett to Upshur, 2 Dec., *Ibid.*, 30-2.



any discreditable sacrifice of what they consider their rights, are willing to agree to reasonable terms of settlement."

Under apparently favorable conditions, therefore, did Pakenham undertake the task of settling the Oregon Question when he arrived in America in 1844. The surface of affairs was not even ruffled by the inept reference to Oregon in Tyler's Annual Message, where he again seemed to charge to the British government the delay which had occurred. The first interviews with Upshur, in the latter part of February, added to the good impressions which Pakenham had already received, and he could report to his government that the best spirit seemed to prevail.<sup>21</sup> Furthermore the seed which Everett had dropped about the ultimate concessions which might perhaps be expected from the American government appeared to be germinating as shown by some private instructions sent Pakenham after he left England.<sup>22</sup>

"Should my apprehensions be verified (i. e. that the United States should refuse to accept the Columbia as a boundary), you will endeavor, without committing yourself or your government, to draw from the American negotiator a proposal to make the 49th degree of latitude the boundary, with the proviso that the ports to the south of that parallel to the Columbia inclusive, shall be free ports to Great Britain. The navigation of the Columbia should be common to both; and care should be taken that the 49th degree of latitude, as a boundary, is to extend only *to the sea*; and not to apply to Vancouver's island."

A hint of what had been done was given Everett who, though he was not charged with the negotiation, continued to bring what pressure he could to bear upon Lord Aberdeen. He was told that Pakenham's instructions had been modified to allow a great discretion, and from this he drew the conclusion that the British government no longer expected to secure the Columbia and would in the last resort accept 49° and Everett's suggested modification. "They do not, therefore, I imagine, much regret the agitation of the subject in the

<sup>21</sup> Pakenham to Aberdeen, 27 Feb., 1844, *Br. & F. St. Papers*, 34; 57-8

<sup>22</sup> *Aberdeen Papers*, cited by Schafer, *Am. Hist. Rev.*, 1911, 296-7.

United States, and are willing we should advance a claim to 54° 40'; such a course on our part will make it easier for them to agree to stop at 49° . . . '23

But this smooth sailing could not continue. The particular form which the 54° 40' agitation took did not, contrary to Everett's belief, urge the British government to further concessions. The congressional bills and resolutions and debates, the party discussions and intrigues, especially that portion relating to the annexation of Texas, all served to cool the conciliatory ardor of Aberdeen and the British ministry. And then, just four days before the Foreign Secretary sent to Pakenham his new instructions, came the death of Upshur, leaving the State Department in the hands of the Assistant Secretary Nelson until a successor could be chosen.

Had Aberdeen been able to foresee the selection of John C. Calhoun as Secretary of State he might, in view of the past record of that gentleman, have felt that British interests were in no danger. To Calhoun the Texas and Oregon questions were the sole reasons weighty enough to cause his resignation as Senator and acceptance of a Cabinet position under Tyler;<sup>24</sup> it was these reasons which Tyler used to induce Calhoun to accept,<sup>25</sup> for without such overwhelmingly important issues no one can doubt that the leading Southern Democrat would have immediately refused the offer of the recusant Whig. Texas was a powerful lever both with Calhoun and with his political confidants of the South. It was of such importance that the Oregon negotiations, so often postponed and hindered, once more had to wait a moment which was not occupied with the Texas treaty, political plans connected with the coming presidential election, routine official duties and the like. Several times Pakenham called Calhoun's attention to the waiting question but he was put off.<sup>26</sup>

<sup>23</sup> Everett to Nelson, 1 Apr., *No. West Bound. Arb.*, 33,4.

<sup>24</sup> See, e. g., Calhoun to Mrs. T. C. Clemson, 9 Mar., 1844; W. Lumpkin to Calhoun, 23 Mar., *Correspondence of Calhoun*, 576, 942. For account of how Tyler came to nominate Calhoun see Wise, *Life of Henry A. Wise*, 98-101.

<sup>25</sup> Tyler to Calhoun, 6 Mar., *Correspondence of Calhoun*, 938-9.

<sup>26</sup> See Pakenham's dispatches in *Br. & F. St Papers*, 34; 59 seq. Also in *H. Ex. Doc. No. 2*, 29th Cong. 1st Ses.

Late in August, however, Calhoun could inform the British minister that he had the leisure to consult with him about Oregon and the negotiation started again. For the first time since the conversations of 1826-7 the matter was taken up with the intention on both sides to bring about a decisive settlement; both governments wished the question closed, the more so because the campaign of 1844, then in progress, held possibilities of increased difficulties in the future. The continued agitation in Congress for the past years impressed the British government with the idea that the sooner the settlement came the better it would be, while the American Administration was anxious to smooth the ways for the Texas program in the next session of Congress. Neither President nor Secretary of State was willing to let Oregon stand in the path of Texas, and both thought that an amicable settlement with Great Britain would serve to remove certain obstacles which might be placed in the way of expansion to the southwest, especially if it should be connected with California.

After the customary preliminaries Pakenham presented a statement of the claims upon which the British title was based and then made the offer which had been submitted in 1824 and modified in 1826; i. e., the Columbia with a detached region between the River and the Sound for the United States. To this old offer Pakenham added that of any port desired by the United States on the mainland or on Vancouver's Island south of 49°. <sup>27</sup> This was declined by Calhoun who presented an elaborate review of the American claim. Pakenham answered this with a counter-reply setting forth the British claim and inviting Calhoun to suggest an arrangement acceptable to the United States. In response Calhoun said that his government could not consent to the view that Great Britain possessed and exercised rights of joint occupancy of which she could be divested only by an equitable partition of the disputed territory, a premise which Pakenham's counter-reply contained; therefore he must decline to make a counter-

<sup>27</sup> Unless otherwise noted the correspondence is in *Ho. Ex. Doc. No. 2, 29th Cong. 1st Ses.*

proposal until the question of title was settled, and as to that, the United States had a clear title to all the area drained by the Columbia and considered itself the party in possession until this question should be settled. Thereupon Pakenham declared he did not feel authorized to enter into a discussion of the territory north of 49°, which was understood by his government to be the basis of negotiations on the American side as the Columbia River was for the British. Here, on the twentieth of September, the negotiation stood, and here they remained for some weeks.

Meanwhile the election campaign was being waged and in the West, especially, Oregon was made the leading issue; consequently everything pointed to a renewal of Congressional agitation in December. In view of this situation Lord Aberdeen felt that there could be little hope that the "United States (would) relax their pretensions, and meet us in any scheme which we could safely and honorably adopt. Under these circumstances and taking into consideration the state of excitement so prevalent in the United States on this subject, by which the free action of the government is greatly fettered, if not altogether paralyzed, I think it will be desirable . . . to have recourse . . . to arbitration."<sup>28</sup> No opportunity, however, offered itself to Pakenham before the middle of January to carry these latest instructions into effect. At that time he reminded Calhoun that there were papers still under consideration, and in view of the impatience manifested in the United States, Her Majesty's Government had authorized him to propose arbitration as the fairest mode of settlement and suggested an interchange of notes on the subject. This suggestion was promptly rejected although Calhoun expressed the hope that the problem might still be solved by negotiation. Pakenham thought that, although the proposal had not been accepted, no harm had been done and perhaps it had even accomplished some good.<sup>29</sup>

Across the ocean Everett had been continuing his efforts

<sup>28</sup> Aberdeen to Pakenham, 1 Nov., 1844, *Br. & F. St. Papers*, 34:86.

<sup>29</sup> Pakenham to Aberdeen, 29 Jan., 1845. *Ibid.*, 88.



to bring Lord Aberdeen to see that anything less than 49° with the possible exception of the tip of Vancouver's Island would never be accepted by the United States.<sup>30</sup> But Aberdeen had not been brought to this view. The short session of Congress was drawing to a close and it had already become evident that the "notice" as passed by the House would not be accepted by the Senate; consequently he felt that the final disposition of Oregon was of no immediate or pressing interest to either party; on the other hand the "artificial excitement" in the United States and the "violent proceedings" in the House of Representatives tended to hinder negotiations, consequently arbitration was the best way out.<sup>31</sup> Accordingly, Pakenham was authorized, as soon as the House resolution had been rejected in the Senate, to offer arbitration again, if in the meantime no reasonable proposition has been brought forward by the United States.

Before Pakenham could receive these instructions the old government was out of office and the Polk Administration was at the helm. The Inaugural Address had been pronounced and the people of the United States expected the President to maintain an uncompromising attitude. It is doubtful whether the advice Lord Ashburton transmitted through Everett would have produced any effect had it arrived before March 4, 1845. Nevertheless it is interesting to read the words of a man who had helped to tide over one crisis and who knew pretty well the temper of his own people. Everett had been telling Ashburton his confident opinion that the United States would never accept any compromise which gave his country a less favorable boundary than 49° to the sea, for he evidently took every possible occasion to impress this line upon all influential men with whom he was on terms of intimacy, and Ashburton said, "he did not think there would be much difficulty of coming to an adjustment unless steps were taken on our (United States) side which wore the appearance of defiance and menace. Any such step would put it out of the

<sup>30</sup> Everett to Calhoun, 28 Feb., *No. West Bound. Arb.*, 35.

<sup>31</sup> Aberdeen to Pakenham, *St. Papers*, 34:90.

power of England, as a similar step on her part would put it out of the power of the United States, to compromise on any terms." "I attach," added Everett, "the greater importance to these remarks because Lord Ashburton had lately conferred with Lord Aberdeen on the subject."<sup>32</sup>

To Aberdeen the Inaugural did present the appearance of "defiance and menace," for immediately upon receipt of a copy of it he prepared new instructions for Pakenham, and detained the American mail a day in order that they might be received at the earliest possible moment.<sup>33</sup> Said he, the speech "has impressed a very serious character on our actual relations with the United States; and the manner in which (the President) has referred to the Oregon question, so different from the language of his predecessor, leaves little reason to hope for any favorable result of the existing negotiation." If the renewed offer of arbitration should be rejected on the grounds taken by President Tyler, i. e., that further discussion was desired, then the negotiation was to be considered as continuing; if, however, the offer was rejected and not accompanied by any specific proposition, the negotiation must be considered ended. In that case Pakenham was to offer to renew for ten years the terms of the convention of 1818, a poor solution, but perhaps better than none. The language of the President led Aberdeen to conclude that the American government would renounce the treaty without delay, in which case local collisions would be likely to occur leading not improbably to war. "At all events, whatever may be the course of the United States Government, the time is come when we must be prepared for every contingency." The naval force in the Pacific had been ordered to go to Oregon. Pakenham was told to "hold a temperate, but firm, language to the members of the Government and all others, and let it be known that the British Government was still ready to adhere 'to the principle of an equitable compromise; but we are perfectly determined to concede nothing to force

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<sup>32</sup> Everett to Calhoun, (received by Buchanan) 7 Mar., *No. West Bound Arb.*  
<sup>33</sup> *Berlin Arb.*, 42d Cong. 3d Ses. *Ex. Doc. I*, pt. 6, 223.

or menace." The conciliatory instructions of a year before were withdrawn. The delay of the mail had the additional result of allowing the proceedings in Parliament to be known in America at an early date.<sup>34</sup>

Aberdeen's gloomiest expectations were not met. When Pakenham, late in March, proposed arbitration to Buchanan,<sup>35</sup> the new Secreary of State told him that he would take an early opportunity to discuss the matter with the President. "He did not seem taken with the notion of arbitration," reported Pakenham, but he said the matter ought to be settled by negotiation on the principle of give and take. In May, Pakenham was informed that arbitration did not meet the approval of the President and his Cabinet; they all objected to it and preferred negotiation. When Buchanan gave this information he took occasion to say that the British minister might assure Lord Aberdeen of the friendly disposition of the American government.<sup>36</sup>

The negotiation was resumed in July by Buchanan who took it up at the point where it had been dropped by Calhoun, i. e., by making a counter-proposal prefaced by another discussion of American claims which went over the same ground so often traversed by former negotiators.<sup>37</sup> The offer was 49° as the boundary together with any port or ports on Vancouver's Island south of 49° which might be desired by the British. The proposition was accompanied by the statement that the President, in view of the strength of the American title, would never have made the offer but for the fact that it had been made by his predecessors and that negotiations were on foot when he entered office. To McLane, in London, Buchanan explained in more detail: the president doubted if the civilized world would judge in favor of the United States if a war should be waged for a "comparatively worthless territory north of 49°;" arbitration was out of the question; but if this offer should be made and be rejected he would feel himself free to

<sup>34</sup> See Chapter XI, below.

<sup>35</sup> Pakenham to Aberdeen, 29 Mar., *St. Papers*, 34:91, 2.

<sup>36</sup> Same to same, 13 May, *Ibid.*, 92.

<sup>37</sup> Buchanan to Pakenham, 12 July, *Sen. Doc.* No. 489, 29th Cong. 1st. Sea.

insist on the full right to the Russian line. To McLane, however, Buchanan added that while the President was silent on the right of navigation of the Columbia in his offer, since it would cause endless trouble, he had offered, the free ports as a counterpoise, and he, McLane, might intimate to the British ministers that the United States would not accept anything south of 49°, the only possible concession being the exchange of the small cape of Vancouver south of the line for an equivalent.<sup>38</sup>

Two weeks after the American offer was made Pakenham replied, controverting the assertions of Buchanan as to title, and then rejecting the proposal as one, in fact, less in value than the earlier offer since the free port on Vancouver could not counterbalance the free navigation of the Columbia. Consequently, acting in accordance with Aberdeen's instructions as he understood them, he closed his communication with these words:<sup>39</sup>

"The undersigned, therefore, trusts that the American plenipotentiary will be prepared to offer some further proposal for the settlement of the Oregon question more consistent with fairness and equity, and with the reasonable expectations of the British Government."

This response opened for the American government an opportunity to halt the negotiations and at the same time throw upon the British minister the apparent burden of proving himself in the right. Technically Pakenham might claim, as he did, that the offer, being less than had previously been presented to his government, amounted to no real counterproposal; hence the game remained as it had been left by Calhoun with the next move for the United States. The rather peremptory tone of the rejection, on the other hand, could be taken as "scarcely courteous or respectful" as the President chose to regard it, and the flat rejection of the offer without a reference to the British government was for Polk a sufficient reason to let the negotiation rest until the other party desired

<sup>38</sup> Buchanan to McLane, July 12, *Ibid.*, 27-32.

<sup>39</sup> Polk, *Diary*, I, 355, 360. *Niles' Register*, 12 Sept., 1846.

1st See.



to resume and make some move. Accordingly, in spite of the eager desire of Buchanan to insert some clause to the effect that the Administration would listen to a further proposition, the President's will prevailed and the offer was withdrawn with no qualifications. In the notification, which he tried in vain to have postponed for further consideration, Buchanan asserted that the title of the United States to 54° 40' was the "best title in existence to this entire region; and that the claim of Great Britain to any portion of it has no sufficient foundation."<sup>40</sup> The note was approved by Walker and Bancroft, Secretaries of War and Navy, and by Postmaster General Johnson. None of the Cabinet disapproved the stand except Buchanan, who said, when the note had been delivered at the British legation, "Well, the deed is done." But he did not think it was wise statesmanship to deliver such a note with relations between the United States and Mexico as they were.<sup>41</sup>

Pakenham's rejection of the American offer did not meet with the approval of his government.<sup>42</sup> Aberdeen told McLane that he regretted and disapproved the action of the minister to the United States; if the offer had been referred to London, as it should have been, it would have been taken as a basis for further negotiation. Aberdeen felt sure that he would have been able to propose modifications leading to mutually satisfactory arrangements. McLane reported that he had not failed to impress upon Lord Aberdeen the difficulties in the President's situation in conceding what he had by the proposition, and he added that he was sure the British minister was convinced that ultimately he, Aberdeen, would propose terms which would be accepted by Polk.

Pakenham was uneasy even before he learned his government's opinion of his act. He had several interviews with Buchanan, friendly in tone, in which he attempted to ascertain whether the President could not be persuaded to renew the

<sup>40</sup> See Polk, *Diary*, I, 1-5. Buchanan to Pakenham, 30, Aug., *H. Ex. Doc.* No. 2, 177-92. Polk had recalled Buchanan to Washington from his vacation early in August in order that the answer to Pakenham's note might not be delayed. Polk to Buchanan, 7 Aug., *Works of James Buchanan*, VI, 223-4.

<sup>41</sup> Polk, *Diary*, I, 5, 6-8, 11.

<sup>42</sup> McLane to Buchanan, 3 Oct., *No. West Bound Arb.*, 41.

offer as a basis for compromise, or, if that could not be done, how a new proposition from the British side would be received.<sup>43</sup> Finally he submitted to Buchanan a note to be considered official or not according to the answer it would receive.<sup>44</sup> Polk insisted that Pakenham must name the character of his note and then an answer would be made; he repeated a statement which he had already made to his official family, that if a British proposition should be made he would, according to its nature, submit it to the Senate for previous advice or reject it at once, but he was convinced that no satisfactory proposal could be made. With great reluctance Buchanan left the President's office, found Pakenham and asked him to state whether the note was official or not, adding that it could hardly be expected that the United States would abandon the position already taken. Then Pakenham withdrew his note. "I think it unfortunate," Polk wrote in his *Diary*, "that he (Buchanan) made any remark to Mr. Pakenham that indicated to him what my settled decision was, as I think that Mr. Pakenham's note & answer should have been official."

The relation between the Oregon and California situations was already beginning to show itself during this time when Pakenham was finding it difficult to struggle out of the deadlocked position. Information that the Hudson's Bay Company was at work in the south began to reach Washington. The United States Consul at Monterey reported that it appeared that arms and money had been furnished by an agent of the Company to the Californians to aid them in driving out the Mexicans, although later it was the same Company which financially backed an expedition of Mexican troops to be sent north to quell the disturbances. It looked threatening, and the

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<sup>43</sup> When McLane's letter was received the Cabinet discussed it at length, and Buchanan again urged Polk to allow some intimation that the United States was willing to negotiate further; Polk stuck to his position and said that Great Britain must take the next step, although he was sure no acceptable offer would be made. Polk, *Diary*, I, 62-4. Buchanan to McLane, 13 Sept., *Sen. Doc.* No. 489.

<sup>44</sup> Buchanan to McLane, 28 Oct., *Works of Buchanan*, VI, 285-6. The Cabinet discussion is given at length by Polk, *Diary*, I, 62-82, *passim*. Buchanan to McLane, 5 Nov., *Sen. Doc.* No. 489.

President, wrote Buchanan,<sup>45</sup> "could not view with indifference the transfer of California to Great Britain or any other European power. The system of colonization by foreign monarchies on the North American continent must and will be resisted by the United States." In the same strain Polk talked over the situation with Senator Benton when that gentleman arrived in Washington prior to the opening of the session of Congress. From this time forth, although California did not often appear upon the surface in the negotiations with Great Britain, it must be regarded as a factor in them so far as Polk was concerned with them.

How to start the ball rolling again and at the same time not appear too anxious to resume the discussions was the problem which presented itself to Lord Aberdeen. He showed McLane some of the dispatches which he had received from Washington where Pakenham explained why he had rejected Polk's offer and also why he believed it well to attempt to reopen the negotiation. Pointing out the insufficiency of Pakenham's grounds for the rejection of the American offer McLane explained at length the reasons for the withdrawal of it as he understood them.<sup>46</sup> Aberdeen, however, could view the matter in no other light than a closing of the discussions by Polk and no alternative remained but for him, Aberdeen, to propose arbitration; if this should be declined for the same reasons Calhoun had declined them there would be an opportunity to renew negotiations; if, however, the President declined in such a way as to warrant the British ministry in assuming that he meant to insist upon the full claim, then it could be regarded in no other way than an ultimatum and they must abide by the result.

When McLane outlined to Buchanan the very palpable advice as to how they could get upon the track again, with no loss of dignity to either side, he wrote, "Although I am quite sure that the Earl of Aberdeen has no idea at present of

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<sup>45</sup> Buchanan to Thomas O. Larkin, Consul at Monterey, 17 Oct., *Works of Buchanan*, VI, 275-6.

<sup>46</sup> McLane to Buchanan, 1 Dec., *Sen. Doc. No. 489*.

accepting the compromise contained in the President's proposition, it would not surprise me if an arrangement upon that basis should prove acceptable to large and important classes in this country; indeed it is complained of principally by the Hudson's Bay Company and those in its interest. That the Ministry would find it difficult and hazardous to prefer war to such a settlement may well be imagined; although you may assume it to be certain that when war becomes inevitable, it will receive the undivided support of the British people." He added further that it was the current belief in England that the Annual Message would present again the opinion the President had expressed in his Inaugural, with, perhaps a recommendation that the joint occupancy be terminated. This, he thought would not necessarily embarrass the relations between the countries. Aberdeen's instructions to Pakenham contained the course outlined to McLane; arbitration, he believed, would be the most prudent step and best calculated to allay the "effervescence of popular feeling," therefore Pakenham should propose it at the first opportunity.<sup>47</sup>

Such was the situation when Congress convened in December, from which time the diplomatic and legislative currents meet and run along together, sometimes intermingling, sometimes clearly differentiated, and it is to the legislative side to which attention must now be turned.

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<sup>47</sup> Aberdeen to Pakenham, 28 Nov., *Br. & F. St. Papers*, 34:130-1.



## CHAPTER VIII.

### GIVING NOTICE.

Polk's Annual Message of 1845 with its accompanying carefully edited excerpts from the diplomatic correspondence of Buchanan and Calhoun was the spark which set off the powder-magazine in Congress. Although there were some genuine munitions of war there a great deal of the noise resulted from the detonation of political fireworks, both spectacular and deafening but not intended to be harmful. If Oregon had hitherto been overshadowed by other issues that neglect was now fully atoned for by the attention it received from the Twenty-ninth Congress, where, until the resurgence of the Texas-Mexico question and the opening of hostilities on the southern border, it succeeding in ousting from serious consideration all other matters.

The political alignment on the topic cannot be separated from the question itself: although there was much talk about taking up the issue on its merits few members of Congress framed their speeches or laid their plans without an eye to their political prospects in the coming elections, congressional and presidential. The Whig party had been bitterly disappointed by the results of the election of 1844; its high expectations, held in check by the recalcitrant Tyler, were again put to one side, for there was to be no protective tariff, no revision of the government's fiscal methods, despite Polk's ambiguous stand after his nomination. Hence it was the purpose of this party to discredit the Administration and its course on Oregon seemed to offer a point of attack.

The Democrats were seriously split. For the most part the southern wing followed Calhoun and were for a course of moderation: there was fear of the consequences of a rupture with Great Britain and its possible effect upon the Texas situation. It was well known that Mexico had not acquiesced willingly in the loss of that province, and should hostilities

with England occur it was not improbable that Mexico would seize the opportunity to regain what she had lost; this would also put a stop on hopes of securing other northern Mexican possessions. The western Democrats, and Whigs too for the most part, supported the extreme attitude of the Message, with the exception of a small number of whom the most notable was Senator Benton. He, according to Polk's idea, had fallen into disfavor on account of his attitude on Texas and was endeavoring to regain his standing in the party by pursuing a course of moderation on the Oregon Question with the southern wing rather than by joining the ultras of the Northwest. In the North the Democrats for the most part supported their western brethren; in addition to whatever real interest they had in the matter itself they were actuated by opposition to Calhoun dominance as against Van Buren leadership, besides being more or less impelled by an avowed determination to allow Great Britain to secure no more territory from the United States.

Personal aggrandizement had, in the opinion of some contemporary observers, a large place among the motives of some who took a leading part in the discussions and schemes. While the new Administration was less than a year old it was not too soon to begin planning for the election of 1848. Calhoun, long aspiring to the presidency, still had hopes; Cass and Allen vied for the western vote; and Buchanan and Walker, although members of Polk's Cabinet, felt that they should be considered among the possibilities and used their influence accordingly.

"The truth is," Polk believed, "that in all this Oregon discussion in the Senate, too many Democratic Senators have been more concerned about the Presidential election of '48, than they have been about settling Oregon whether at 49° or 54° 40'. 'Forty-eight' has been with them the Great Question, and hence the divisions in the Democratic party. I cannot but observe the fact, and for the sake of the country I deeply deplore it."<sup>1</sup>

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<sup>1</sup> *Diary*, I. 345.

Another contemporary observer, William Grason, summed up the situation in this way, after Congress had been in session about a month:<sup>2</sup>

" . . . As far as I can learn, from conversation with different classes, there appears to be no definite opinion formed, among the people who control the elections, respecting the *extent* of our claim to the Oregon territory. There is a general feeling of excitement, because they think the question is approaching a crisis, and is likely to be attended with serious consequences. I have seen but two men who are in favor of a war for any part beyond 49°. I have seen others, however, who think we can recover more by claiming all and *making speeches to that effect*. My opinion is, that, if we bring on a war, by contending for more than we have offered to take, the party that brings it about will have very little to do in making peace. Unless we were victorious in every quarter, and we could not expect to be so at first, Mr. Polk would be succeeded by Mr. Clay or some other Whig, the majorities in the two houses would be reversed; and after establishing a national bank and extending the privileges of all kinds (of) corporations, our Whig rulers would take the Columbia as the dividing line, and justify themselves to the people on the ground that we had been precipitated into the war without necessity or preparation. John Q. Adams, who is now for all of Oregon, and, in the event of war, is for driving the British to the North Pole, would insist that he had warned the nation of the consequences; and other Whigs, who assert our extreme rights, would say that they were never opposed to a war for the maintenance of these rights, but that they never could approve of the measures of men who were incompetent to their stations. The Democrats themselves, who are generally engaged in agricultural pursuits, or who live by their labor, would find double taxes and no markets, and at the same time, witness volunteers marching to Canada, and war steamers entering our harbours. If, in the mean time they saw we had lost Texas without taking possession of Oregon, they would not become much attached to the theoretical doctrine of not suffering any European power to interfere in the affairs of the American continent."

Briefly then the party alignment may be summed up in this

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<sup>2</sup> Grason to Van Buren, 10 Jan., 1846, *Van Buren Papers*, Vol. 53.

way: on general grounds the southern Democrats and Whigs, especially in the Senate, were opposed to anything which was likely to precipitate a crisis, specifically they wished no notice or, if it had to be given, one in such terms as create the least friction; they were opposed to demanding 54° 40' and felt that the United States was bound to compromise on not more than suggested in previous offers. The western Democrats and Whigs were for the whole claim, come what may, while the bulk of the northern Whigs urged a moderate course and compromise in opposition to their Democratic colleagues who backed the extreme demands of the Administration. The North and South wished to avoid war, but the West professed to believe that Great Britain would recede from her position; if this should not be the case, then, they preferred war to the surrender of any portion of Oregon.

The Message was accompanied by those documents which had passed between the two governments and which in bare outline afforded a view of what had taken place; that is, the reopening of negotiations, the British offer and Calhoun's reception of it, the American offer and its rejection, together with the statement of claims on both sides.<sup>3</sup> Nothing of the correspondence with McLane or anything which tended to show that there was any hope of getting a better offer from Great Britain accompanied the Message. The challenge was accepted by both branches of Congress forthwith and discussion started early in January.

In the lower House the campaign was opened by a seven-barrel resolution by Bowlin, a Missouri Democrat, by which the respective committees on Naval Affairs, Military Affairs, Indian Affairs, Public Lands, Militia, and Post Offices and Post Roads were directed to take into consideration the parts of the Message dealing with Oregon, while the Committee on Foreign Affairs was given charge of the specific portion relating to the giving notice to Great Britain. It was the report of the Committee on Foreign Affairs which gave vent to the pent-up feelings of the House.

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<sup>3</sup> Given in *Sen. Ex. Doc.* No. 1; *H. Ex. Doc.* No. 2, 29th Cong. 1st. Ses.



Ingersoll of Pennsylvania presented the majority report and Garrett Davis of Mississippi the minority report on January fifth. The majority report was a simple resolution directing the President forthwith to cause notice to be given to Great Britain that at the expiration of twelve months the joint occupation should cease. The report which Davis presented was signed by him and Truman Smith of Connecticut, both Whigs, and Caleb Smith of Indiana, a Democrat. It raised the constitutional question of whether the House could act in the matter; the treaty had been made by the President by and with the advice and consent of the Senate without any action on the part of the House, hence, while the House might express an opinion by means of a resolution, it could not share in directing the President to act. "And why should the House, by a violation of all propriety of form, and without any effective authority over the subject, make itself a party to this proceeding?"

The majority had recommended the first Monday in February as a time to take up its report, but the House would have no such delay; a motion was made to refer both reports to the Committee of the Whole House on the State of the Union to be made the special order of the next day. Giddings, a Whig of Ohio, wished to know if this did not open the whole subject matter to discussion, and when the Speaker ruled that it did launched out into the only speech of the whole debate wherein the slavery issue was made prominent. He said he had previously voted against giving notice but now that Texas had been "reannexed" the South was willing to compromise on Oregon; Texas had given the slave party the balance of power and now the North was bound hand and foot. The South feared a war with Great Britain for Oregon for it would mean the end of slavery when the blacks of the West Indies came and started a servile insurrection, and then the slave-holders would call upon the North to defend them. Gidding's violent speech—and his speeches usually were violent when slavery was the subject—provoked a response from his Democratic colleague McDowell, who de-

plored Gidding's sectional attitude, extolled the "Texas Invincibles" who, at the last session, had brought in that republic. Then he went on to sound the note uttered by all westerners: all Oregon; no more negotiations if that meant loss of any part; no war, he hoped, but if war did come, there was Canada to be thought of. Rhett, of South Carolina, a Democrat, opened for the opposition with the arguments which were used, in one form or other, by all those who were against the Administration: giving notice would be to oust Great Britain and that meant inevitable war resulting probably not in all of Oregon, but none of Oregon. Both North and West wished for war, said Rhett: it was a part of the political game in which the northern Democrats, disappointed at the defeat of their favorite Van Buren, were determined to play a double part, get control of the government and punish the South.

The debate continued on into the next day ostensibly on the question of reference to the Committee of the Whole but actually on the issue itself. In order to allow other business of a routine nature to go on, reference was made and the debate proceeded.<sup>4</sup> From the sixth of January to the sixteenth of February, this topic occupied the attention of the House. Extended as it was the debate was participated in by more than half the Representatives; it grew in intensity all the time even though it was impossible for either side to bring up new arguments on the merits of the question. The discussion on one side consisted largely in assertion of the title of the United States to all of Oregon,—give notice and let war come if it must; the opposition asserted a colorable title by Great Britain, the necessity of negotiation, the unpreparedness of the United States for war, and the disaster which would follow hostilities. Jefferson Davis added a variation when he asked what would be gained if, on account of the excitement aroused by the debate, Mexico should make unreasonable demands, defeat the acquisition of California and so cause the United

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<sup>4</sup> *Globe*, XV, 150. Many of the speeches, which were in most cases "extended," appear in the *Appendix* to Vol. XV.

States to lose the key to Asiatic commerce.<sup>5</sup> Isaac Parrish of Ohio contended that there was no good reason for stopping at  $54^{\circ} 40'$ ; there was an area of 500,000 square miles north of that line, exclusive of the islands to which Russia had good title, to which the United States had as good a claim as Great Britain. If Great Britain wanted war she would find a pretext in any case, and if her desire for peace was sincere she would, if met with firmness, yield all the territory west of the Rocky Mountains. John Quincy Adams maintained that the title of the United States was founded on *Genesis* 1:26-28 and made a  $54^{\circ} 40'$  speech in which he asserted that Great Britain wanted the land for hunters while the United States would fill it with settlers.

When the eloquence, as well as the patience, of the House was well nigh exhausted the Committee of the Whole came to the point of voting on the various propositions before it. In addition to the two reports of the Committee on Foreign Affairs some twenty other sets of resolutions and amendments had been offered, varying in vehemence from Parrish's demand for the whole northwestern portion of the continent to Winthrop's where he asserted that the matter was still a subject for negotiation, that it would be a "dishonor to the age in which we live" if war resulted. If direct negotiation failed Winthrop was in favor of arbitration, for the news that Polk had rejected such a proposal had been brought before the House by a resolution calling for late correspondence.<sup>6</sup> One after another the substitutions and amendments were voted down after the word "forthwith," at Ingersoll's own suggestion, had been removed from the original resolution. An attempt to insert the words "that the question is no longer a question for negotiation or compromise" was defeated; likewise every amendment that would seem to direct the President how the settlement must be made was rejected. The form

<sup>5</sup> *Appendix to XV*, 212-7.

<sup>6</sup> Immediately after Winthrop introduced his resolutions Douglas sought to counteract their influence by some of his own in which he stated that the title to any part between  $42^{\circ}$  and  $54^{\circ} 40'$  was, *not* open to compromise, and the question of territory should not be left to arbitration.

adopted by the committee and reported to the House contained two parts; the first part directed the President to cause the notice to be given, and the second added,

"Resolved, That nothing herein contained is intended to interfere with the right and discretion of the proper authorities of the two contracting powers to renew or pursue negotiations for an amicable settlement of the controversy respecting the Oregon territory."

The House by a vote of 172 to 46 concurred with the report of the Committee of the Whole, and the resolutions were ordered engrossed for the third reading by 163 to 54. The real test of strength came when the resolutions were reported to the House by a vote of 109 to 94, but as there was no call of the roll, no party, sectional or other alignment can be determined from it. The vote on the third reading, however, gives the following results:

	For resolutions	Against resolutions
Whigs	42	34
Democrats	117	18
Native Americans	4	2
North	68	23
South	36	24
West	59	7
Slave States	55	29
Free States	108	25

Of the Democratic votes against the resolution seventeen were from Virginia, South Carolina and Alabama. Of these Polk wrote a little later:<sup>7</sup> "By his (Calhoun's) influence he induced 16 Democrats in Virginia and South Carolina in the House to vote against the notice, and now that he is probably convinced of his mistake, and finds that he will not be sustained by either party in the country, he feels bound not to desert the friends in the House whom he has caused . . . to commit the same mistake." One western Democrat, Caleb B. Smith, of Indiana, completed the total of eighteen. Of

<sup>7</sup> *Diary*, I, 265.



the Whigs in opposition twenty-one were from the North and the rest from Tennessee, Kentucky and Georgia, with one each from Ohio, Maryland and South Carolina. Whether Kentucky and Tennessee are called southern or western (they are ranked as western in the table above) the opposing pull of the South and West is revealed. Little light is shed by the classification in free and slave States, and it would appear that this issue did not figure more largely in the vote than it had in the debate.

While the proceedings in the House of Representatives aroused more or less comment there had been little doubt of the result, hence people looked to the Senate's action with much keener interest, for the decisive action would be there. The Senate, however, had not pushed the matter while the House debate was carried on; the more cautious Senators wished to await both the action of the House and possible results of the negotiation. Webster, one of the moderate Whigs, wrote *a propos* the situation:<sup>8</sup> "As to Oregon, the bill will pass the House. It will pass, however, in a very diluted state, with sundry objectionable provisions struck out. . . . This whole proceeding is in opposition to the known wishes of the President and Mr. Calhoun. The fact is, a majority of the House of Representatives appear to be rash, headstrong, and uninformed men, and men who cannot comprehend the delicacy and importance of the subject, with which they meddle."

Senator Allen of Ohio, one of the staunchest of Oregon men, had seen the President's Message before it had been sent to Congress,<sup>9</sup> and had "heartily approved" its tone on the Oregon Question. He opened the campaign in the Senate in the middle of December by introducing a resolution advising the President to give notice "forthwith."<sup>10</sup> Resolutions for the same end were introduced by Hannegan of Indiana, who

<sup>8</sup> Webster to Haven, 2 Feb., 1846; *Private Correspondence of Webster*, II, 216. See also Webster to N. Appleton, 20 Jan., and to F. Webster, 27 Jan., Van Tync, *Letters of Daniel Webster*, 306-7.

<sup>9</sup> Polk, *Diary*, I, 108.

<sup>10</sup> *Globe*, XV, 76, 182-3.

was not hampered as Allen was by being chairman of the Committee on Foreign Relations; he could, therefore, express more of the true western spirit than his colleague from Ohio. His resolutions declared that the country from 42° to 54° 50' was the property and part and parcel of the United States; that no power existed in "this Government to transfer its soil, and the allegiance of its citizens, to the dominion, authority, control, and subjection of any foreign prince or sovereignty"; that an abandonment or surrender of any portion would be an "abandonment of the honor, the character, and the best interests of the American people." This challenge of the West was answered by Calhoun in resolutions which stated that the President, by renewing the offer of 49°, did not abandon the honor of the country nor exceed his constitutional powers.<sup>11</sup>

Thus, at the end of December, the division in the Senate and in the Democratic party on the question of Oregon was clearly stated. Polk, who desired that each house should pass an unqualified resolution at the earliest possible moment, had foreseen that Calhoun would not support the Message.<sup>12</sup> His conviction on this point was strengthened when he was informed by Congressman Turney of Tennessee that Calhoun and Benton were acting together "whenever they thought it safe to break ground against the Administration."<sup>13</sup> While Benton's position, Turner thought, would mean only one vote, many southern members were opposed to war and would follow Calhoun, while at the same time some of the members from the West were almost mad on the subject of Oregon. He felt that the President would find himself between two fires and whatever he did would not satisfy one wing of the party. The two opposing resolutions, Calhoun's and Hannegan's, were the war cries of the opposing factions, and the question of their consideration provoked a preliminary skirmish. Hannegan's demand for immediate discussion brought a protest from Haywood of North Carolina that the resolutions

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<sup>11</sup> *Ibid.*, 101.

<sup>12</sup> Polk, *Diary*, I, 131.

<sup>13</sup> *Ibid.*, 140.

were practically a threat aimed at the President, to the effect, "You made this offer once; take care how you do it again."

"That is it," responded Hannegan, "take care how you do it again." The President's Message had clearly stated that the negotiations were at an end; besides, continued Hannegan, there was a disputed boundary between the Nueces and the Rio Grande, yet there was no talk of negotiations with Mexico—the disputed area was just taken.

Negotiations, however, as Calhoun and Haywood contended, were pending, and this fact caused the Senate to agree to put the resolutions over until February tenth. Those presented by Allen, by Hannegan and by Calhoun were not the only ones on the subject. Crittenden, in January, offered a conciliatory form, which stated, in the preamble, that it was desirable to settle the dispute by negotiation, and then proceeded in the form of a bill to authorize the President to give notice after Congress had adjourned, "in order to afford ample time and opportunity for the amicable settlement and adjustment" of all differences. "Crittenden told my wife," said F. P. Blair, writing to Van Buren, "that he brought in his resolutions in relation to Oregon in homage to young Hickory, who coveted the responsibility of making the issue with England 'all Oregon or none' on his own hook."<sup>14</sup> Young Hickory, however, if we are to take his own word for it, desired above all things at that moment the passage of resolutions for notice without any string of any sort.

Postponing all action and most of the discussion until February was a momentary gain for the forces of conciliation; Senator Allen and his 54° 40' friends feared the results of delay as tending to weaken the chances of ultimate success, and sought comfort from the President in repeated interviews. The Forty-nine men, also, tried to secure some hint from Polk assuring them that he would accept a compromise or at least agree to arbitrate, for they feared that an unyielding attitude would cause war, just as Cass, Allen, Hannegan and other

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<sup>14</sup> 18 Jan., 1846; *Van Buren Papers*, Vol. 53.

westerners feared the extreme demands might be dropped. The Calhoun wing thought of Mexico; it would never do to have hostilities break out with the southern neighbor while the Oregon affair was pending, for they felt that war with Great Britain would surely follow.<sup>15</sup>

All efforts, then, to take steps which were in the direction of violence were opposed, usually with success, by the moderates. For example, Calhoun prevented the reading of Allen's resolutions which reiterated Polk's statement of the applicability of the Monroe doctrine. Benton in a vigorous speech opposed Fairfield's navy bill, denouncing it as a war weapon when all indications were pointing to peace. Webster thought this speech might have some good effect and give trouble to the war party.<sup>16</sup> Benton's efforts throughout all this period are summed up in his words at an evening reception when he was asked his attitude on Crittenden's resolutions,<sup>17</sup>

"Sir, conciliation, conciliation—it is necessary in a national struggle."

Through it all the President was not to be drawn out. He listened to all, whether it was a suggestion from Calhoun or Benton on the necessity of compromise, or Allen with a new argument against compromise. To leaders on both sides he dropped the hint that, if a reasonable proposition were made by Great Britain, he would probably submit it to the Senate for advice before he acted, and in this both sides thought they saw a gleam of hope for their contentions. He always informed his callers that he believed there would be no war, and yet, when Cass talked with him about the probable results of the fall of the Peel ministry and was strongly in favor of vigorous preparations for defence, Polk appeared to concur in the view. When he received from both houses of Congress requests for copies of correspondence which had taken place after that sent them with the Annual Message he agreed with Buchanan that Congress and the American people should know of the military

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<sup>15</sup> Calhoun to T. W. Clemson; 29 Jan., *Corresp. of Calhoun*, 679-80.

<sup>16</sup> Webster to F. Webster, 27 Jan., Van Tyne, *Letters*, 307.

<sup>17</sup> Blair to Van Buren, see note 17 above.



and naval preparations in England as reported by McLane.<sup>18</sup> To all Senators with whom he talked he gave his opinion that the best way to settle the whole matter was first to give the notice, and he wished his authority in this to be unhampered in any manner.

On the tenth of February, the day set for taking up the Oregon resolutions, the joint resolutions on this subject were received from the House and referred to the Committee on Foreign Relations. Those who were for immediate action succeeded by a vote of 23 to 22, in having all previous orders postponed and the resolutions taken up.<sup>19</sup> From this day until the resolution for notice was adopted on April sixteenth there was no topic other than Oregon seriously considered in the Senate. At the outset the main issue was whether notice should be given at all; later it changed to the question of what form the resolution should take. War possibilities occupied the attention of the earlier speakers; Allen's speech, opening the debate, took the stand that there was no longer a question of title to discuss, it was merely a question whether or not the United States would act or be deterred by a war scare such as Great Britain had manufactured in 1842 to secure a portion of Maine. This theme, with variations, was running through most of the speeches.

There were few Senators who did not share in the debate, and fewer still of the features of the situation which were not touched upon. The dry straw of the title was threshed over again by many. One of the interesting speeches of the earlier debate was that delivered by Benton on February nineteenth. While Benton had not ceased to urge conciliation he now took the stand that arbitration was inadmissible, and argued for all the Oregon recommendations of the Message. He denounced the system of joint occupation as "always unjust, unequal, and injurious to us"; he believed that the time was ripe for negotiation, and that the United States should take advantage of it. It was a speech of such a nature that

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<sup>18</sup> Polk, *Diary*, I, 257.

<sup>19</sup> The Senate debate is found in the *Cong. Globe*, XV, 350 seq.

both the Oregon men and moderates could draw soothing conclusions from it.

On the night of February twenty-fourth, after a day largely taken up by the Oregon discussion, Haywood of North Carolina called upon the President and informed him that there was a plan on foot, devised by Calhoun and McDuffie and perhaps others, to bring forward in Executive Session a resolution advising the President to reopen negotiations with a view of settling the issue by compromise. Benton had told Haywood that he would oppose this as it would virtually take the whole question out of the President's hands; Calhoun, he thought, would be willing to agree to any terms in order to get the credit of settling the controversy. Haywood himself, while against the proposed action, was in favor of settling with Great Britain approximately at 49°. Later on in the same evening Allen called, for he too had heard of the scheme, and warned the President that there were "certain men" in the Senate who wished to induce him to compromise; if they succeeded, Allen said, it would break him down and destroy his popularity; nine or ten States of the West and Southwest would oppose any compromise. Polk assured the Senator that he had no political aspirations and would not be a candidate for re-election so that whatever he did would not be with that possibility in view.<sup>20</sup>

The next day Haywood's story was confirmed by the appearance at the President's office of Calhoun and Colquitt, of Georgia, armed with a letter from McDuffie. They said that they thought the time had come for some action looking toward a peaceful settlement so that news might go to England by the next steamer. When Calhoun mentioned the plan proposed for Executive Session Polk said he could not advise such a step at that time, although confidentially he would state that if a proposition came from Great Britain he would feel it his duty to submit it to the Senate for advice. He rejected Calhoun's suggestion that a compromise at 49° would

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<sup>20</sup> Polk, *Diary*, I, 246-8.

not be dishonorable to the United States and that it might be proposed by Polk, for he insisted that the next proposition must come from England. As to the free navigation of the Columbia, when the point was brought up by Calhoun, the President stood by the Message.

Recognizing that this course would probably fail, for it would require a two-thirds vote to carry the resolutions in Executive Session, the conciliation faction attempted the next day to attain the same end by changing the form of the resolution for notice. Colquitt introduced an amendment to Crittenden's resolutions containing this sentence:

"That it is earnestly desired that the long standing controversy . . . be speedily settled, by negotiation and compromise, in order to tranquilize the public mind, and to preserve the friendly relations of the two countries."

This modification received the support of many Whigs and to Haywood it appeared possible that a combination of Whigs and Calhoun Democrats might succeed in taking the whole issue into their own hands. When giving an account of the proceeding to the President, with whom he was in such frequent communication as to cause people to think he was in some manner the spokesman of the Executive in the Senate, "he was excited and spoke in strong terms of disapprobation of the course of Calhoun" and his followers.<sup>21</sup> Even Colquitt, when the President spoke to him about the delay in the Senate, said he was willing to withdraw his amendment and vote for the naked resolution or any other form that was reasonable; he agreed with Polk that the split in the party was unfortunate, both as affecting the Oregon Question and other Democratic measures.

Whigs as well as Democrats went to the President to use their influence for a conciliatory course. Senator Archer of Virginia requested an appointment and took the occasion to say that he and his colleagues were most anxious to settle the question and avoid war. While Polk maintained that he stood by his word in the Message he gratified Archer very much by

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<sup>21</sup> *Ibid.*, 260.

telling him what he had already told so many Democrats, that if a proposition came from Great Britain he would submit it to the Senate. Archer told of a conversation which he had had with the British minister in which he had urged Pakenham to use his influence with his government not to insist upon free navigation of the Columbia. This conversation with the Virginia Senator made Polk doubt the accuracy of Buchanan's information, which was imparted with some excitement to the President, about a Whig plot to throw the whole responsibility upon the President if the advice of the Senate should be asked.

On the fourth and fifth of March a new interest was roused in the Senate debate by a speech of Haywood, who explained that while the President was constitutionally authorized to make treaties he could not unmake them; conventions could be annulled only *by mutual consent* or *by law* and the President had chosen to follow the latter method.<sup>22</sup> The President, continued Haywood, had receded to 49° on a compromise and still stood on it as such, he would never enter a long war in order to determine the meaning of the Nootka Convention. While partisans had raised the cry of "All Oregon or none," or "54° 40' fight or no fight" this was not the attitude of the President; if it had been, he, Haywood, would have been forced to turn his back upon the Administration. He would vote for the President to give notice and if Great Britain would not yield her demands south of 49° then the United States must fight.

Both Hannegan and Allen attempted to obtain from Haywood a statement as to whether he had authority, directly or indirectly, to speak for the President, and, when he answered ambiguously, pressed the point, whereupon Haywood said, "I have not assumed to speak by authority of the President."

"Then the Senator takes back his speech?" asked Allen.

"Not at all," replied Haywood, "but I am glad to see it *takes*."

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<sup>22</sup> *Globe*, XV, Appen. 370-6. Haywood told the reporter that he wished to report his own speech and it appears much edited in the *Appendix*, bristling with capitals and italics.



Apparently it had taken for it provoked applause both from the Senate and from the galleries. The 54° 40' men feared that the President had deserted them and Hannegan, greatly excited, asked him the same day whether Haywood had been speaking for him, but Polk replied that no one spoke *ex cathedra* for him. The conciliation forces were delighted with Haywood's speech and many went to the President to tell him so. Yulee of Florida and Lewis of Alabama told him that people took the speech to be an answer to the warlike utterances of Allen, whom before this they had supposed to speak for the Administration on account of the warlike tone of the Message. Polk mildly remarked that he did not consider the Message warlike and if the notice were to be passed by a decided majority, as had been the case in the House, he was sure peace would continue.

"I venture the remark in reference to the feverish excitement of members of the Senate," wrote Polk in his *Diary*, "on the question of Notice on the Oregon question, that it all proceeds from the ambitious aspirations of certain leading members of that body. For example, Mr. Calhoun probably thought by opposing the Notice at the early part of the session, he would best advance his views upon the Presidency, by placing himself at the head of the peace party in the country. He now finds his mistake and is struggling to extricate himself from his embarrassment . . . Mr. Allen, on the other hand, will bear no compromise under any circumstances, and would probably prefer war to peace, because it might subserve his ambitious views. Mr. Cass takes the same view that Mr. Allen does, as probably his best chance of reaching the Presidency, and therefore he acts with Mr. Allen, but is not so ultra or ardent. Col. Benton feels that he has lost cast(e) with Democracy on the Texas question, and feels sore and dissatisfied with his position. In the midst of these factions of the Democratic party I am left without any certain and reliable support in Congress, especially in the Senate. Each leader looks to his own advancement more than he does to the success of my measures."<sup>23</sup>

23. Polk, *Diary*, I, 264-5. General Cass had a reputation as a fire-eater. At one time in the debate he arose and announced that he would speak to one topic only. "Inevitable war?" asked Haywood. No, he was not going to make a war speech, but before he ended he had advocated an increase of the army and navy and had invoked, in respect to Oregon, the "inevitable destiny." "Yes," said Webster, "war is inevitable."

Cass, McDuffie, Turney, Atchison and Allen all took occasion to speak to Polk about the altercation of Hannegan and Haywood. While the peace people were pleased with the general tone of their champion, both parties were a little inclined to apologize for the ardor of their representatives, and some viewed it all as an apparent attack upon the integrity of the President's course. Hannegan himself told Polk that he was his friend, seeming to desire to remove the impression that he had attacked and denounced the President in advance of action; but he evidently wanted to be sure of his ground in the future for he asked the President point blank what he intended to do, go for 54° 40' or compromise at 49°. Polk replied that he would tell no man on earth what he would do in the future, and Atkinson, who was present at the interview, said the President was right.

Allen was also desirous of finding where things stood. He told the President that Haywood spoke the sentiments of four Senators who were friends of Silas Wright, Governor of New York, (Governor Wright was also presidential timber) and the speech was a deliberate attack upon himself as chairman of the Committee on Foreign Relations. The President then reminded Allen that he, too, a few days before, had been asked about the authority with which he spoke and he had replied that he had spoken from the documents submitted by the President; Haywood could have spoken from no other authority for none had been given him. Allen still was not satisfied and obtained another interview for the next night, Sunday. At that time he went over the whole matter again and then produced from his hat a paper containing what he proposed to say in the Senate. As nearly as Polk understood it the "substance was that he was authorized to say that I had asserted the United States title to Oregon up to 54° 40', and that I had not changed my opinion." The desired authority, however, was not given.

Colonel Benton also went over the ground with the President. He said that the debate had taken a curious turn; in-

stead of discussing the President's views as shown in the documents, Senators were "guessing or conjecturing" what he would do next. He urged Polk to examine Colquitt's amendment and speak to his friends about it if he approved it. But Benton could obtain no further satisfaction than the oft-repeated statement about asking the advice of the Senate.

While Polk continued to receive visits from Senators who were anxious to find out more about the Haywood matter another turn of affairs afforded an outlet for excitement. On March ninth Colquitt read and denounced an article in the *Washington Times* wherein it was stated that there was a conspiracy between the British minister on one side and the Whig Senators and the "anti-Oregon" Democrats, "with some *Western* members for an exception," on the other. They were plotting to defeat the House notice and substitute a conditional one leaving the time of giving it to the discretion of the President and binding him to further negotiation which would result in compromise. The writer of the article was denounced by Colquitt as a liar, and the article was framed to drive back into the ranks all recreant Senators by coupling their names with that of the British minister. Three days later Jarnagin, a Whig from Tennessee, brought the matter up again and introduced a resolution for a committee of inquiry to report such measures as should be "necessary to vindicate the character and honor of the Senate against the charges of corruption."

On the sixteenth of March the committee, of which Benton was chairman, reported that they had found no truth in the charges that at a dinner at the British minister's some Whig Senators had discussed the Oregon Question; that there had been held in the Capitol a meeting of Whig Senators the day before the *Cambria* sailed, with Pakenham present, and a vote had been taken to be sent to Great Britain; that Senator J. M. Clayton had admitted that he had been at a dinner where "noses" had been counted. The two persons named by the editors of the *Times* as having knowledge of the affair admitted that they had none, and no one could be found who

would sustain the charges of the editors and owner of the *Times*. More than all this the committee had sworn statements from all the Senators alleged to have been mixed up in the plot denying the charges. The committee recommended that the reporters of the *Times* be excluded from the reporters' gallery in the Senate, and the whole report was unanimously concurred in.

This whole "plot" was in essence just what rumor had been reporting about the capital for some time. And, indeed, although no voting or anything of the sort had taken place, pretty nearly what was charged had happened; the British minister had, in accordance with his instructions, talked freely with influential men, and Whigs and peace Democrats were working harmoniously to prevent a rupture of the relations with Great Britain.

In the meantime the debate went on with no particular features until March sixteenth. On that day Calhoun for the first time took a prominent part by pronouncing an able speech in which he analyzed the situation to date. He concluded his observations by stating that he was inclined to think that notice should be given for two reasons; it would prevent carrying the matter into the next presidential campaign, and it would serve to hasten a solution of the issue, because until it was given Great Britain would make no move. He was for the notice, but not in its naked form, or not in the equivocal form in which it came from the House, but in a form that would plainly state what was meant. The situation was different from what it had been in 1843 for the Oregon country was filling up and it would be necessary to end the old arrangement which had worked well enough when there were few people there. Giving notice, however, meant compromise or fight; war was inconceivable in view of the disastrous effect it would have on the fortunes of the United States, and so nothing was left but an honorable compromise.<sup>24</sup>

When Edward Everett read this speech he wrote Calhoun<sup>25</sup>

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<sup>24</sup> *Globe*, XV. 502-6; *Appen.* 471-6.

<sup>25</sup> 6 April, *Correspondence of Calhoun*, 1080-1.



that it alone was nearly decisive of the question of peace or war, and in delivering it Calhoun had rendered the country an inestimable service. Calhoun himself said<sup>26</sup> that his friends considered it the best he had ever delivered, although he soon saw that he had aroused the jealousy of the leaders of his party for both the *Intelligencer* and the *Union* (the Administration paper) disregarded his request to suspend its publication until he should have seen it in print and had revised it. He thought that he had opened the door for Polk to compromise, and, in confidence, he stated that he feared the President's Message had been diplomatic, that the notice had been recommended only to play a game of intimidation with the British government. Now the Administration could leave its "timid, vacillating course" and take some decisive step.<sup>27</sup> McLane in London did not feel this way about Calhoun's effort; he thought this speech, along with those of Webster and others, advocating peace and urging the British title to a large portion of Oregon had made the tone of the British more arrogant and their demands greater.<sup>28</sup>

Calhoun's assault upon the stronghold of the war party was followed by similar attacks by others of his way of thinking: Berrien and Archer, both Whigs, and Niles, a Connecticut Democrat, added their voices for compromise and for checking an Executive policy which single-handed would settle the question of war or peace for the country. The Fifty-four Forties, however, were encouraged on March twenty-fourth by the President's answer to a Senate resolution of the seventeenth inquiring whether in his judgment "any circumstances connected with or growing out of any foreign relations of this country require at this time an increase of our naval or military forces."<sup>29</sup>

Such a request fell in with previous suggestions from Polk; in February certain portions of McLane's communications,

<sup>26</sup> Letter to Mrs. T. W. Clemson, 23 March, *Ibid.*, 684-5.

<sup>27</sup> Calhoun to T. W. Clemson, 23 March, *Ibid.*, 686.

<sup>28</sup> Polk, *Diary*, I, 344-5.

<sup>29</sup> So Webster wrote his son, 26 Mar., *Writings and Speeches of Daniel Webster*, XVI, 447-8.

with information about British military and naval activity, had been forwarded to Congress; later in the month Buchanan and Polk discussed the advisability of recommending to Congress a consideration of further military preparation, and, while no message was framed at the time, Buchanan talked freely with Democratic Senators and Representatives about the alarming activity of England while he urged the President to consider the danger and take the necessary steps to guard against it.<sup>30</sup> This change of tone on the part of his Secretary of State Polk attributed to presidential aspirations; Buchanan believed that war sentiment was uppermost and it was policy to put himself at the head of the procession. Buchanan's suggestion was discussed in the Cabinet but no action resulted. When the Senate resolution was received, however, Buchanan was for a strong message; he found Polk's draft altogether too mild and penned one with a much more warlike spirit. "His object, I think," wrote Polk, "is to supersede Gen'l Cass before the country, and to this motive I attribute his change of tone and the warlike character of his draft of my proposed message. I think he is governed by his own views of his chances for the Presidency. It is a great misfortune that a member of the Cabinet should be an aspirant for the Presidency, because I cannot rely upon his honest and disinterested advice, and the instance before me is clear evidence of this."<sup>31</sup>

While the Message was not strong enough for Buchanan who would have included an implied censure of the Senate for the delay about the notice, it was forceful enough to command attention and stimulate action. The President recurred to his recommendation of the Annual Message advising a force to protect Oregon emigrants; he saw no reason to modify this advice but believed additional provision should be made for public defence. He referred to the reports, prepared by the Secretaries of War and Navy, which had been communicated to the appropriate committees in January, and added that "subsequent events have confirmed me in the opinion that

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<sup>30</sup> *Diary*, I, 208 seq; 241-3; 257-8.

<sup>31</sup> *Ibid.*, 297-8.

these recommendations were proper as precautionary measures . . . . A controversy . . . . now exists between the United States and Great Britain, and while, so far as we know, the relations of the latter with all European nations are of the most pacific character, she is making unusual and extraordinary armaments and warlike preparations, naval and military, both at home and in her North American possessions." "It cannot be disguised that however sincere may be the desire for peace, in the event of a rupture these armaments and preparations would be used against our country." After commenting further on English activities Polk again recommended the passage of the notice. Toward the end of the Message he referred to the fact that the relations with Mexico were still in an unsettled condition; a new revolution in that country might possibly defeat, as it had delayed, the settlement of differences with the United States. His conclusion was this:

"In view of the 'circumstances' it is my 'judgment' that 'an increase of our naval and military force is at this time required' to place the country in a suitable state of defense. At the same time it is my settled purpose to pursue such a course of policy as may best be calculated to preserve both with Great Britain and Mexico an honorable peace, which nothing will so effectually promote as unanimity in our councils and a firm maintenance of our just rights."

The reference to communications to committees of the Senate caused Webster to inquire what they were, observing that this practice, a new one, ought not to be encouraged. Fairchild, for the Committee on Naval Affairs, replied that it was in accordance with this report that his committee had brought in the bill for ten steamers. Benton, for the Committee on Military Affairs, after stating that the reports had been the result of inquiries from the Senate at the beginning of the session, said that some of the information was of such a character that it ought not yet to be made public. Whereupon Webster requested the Chairman of the Committee on Military Affairs, when in his opinion it was discreet and not inimical to the public service, to communicate to the Senate that part of the information which might be made public.

On the same day the "war" Message was received Allen began his efforts to have a day fixed for voting on the resolutions for giving notice. The day before, in an interview with Polk, he had mentioned Polk's statement about submitting a British offer to the senate, and had urged the President to send with a decided declaration of his own; he believed, nevertheless, that if two-thirds of the Senate advised the President to accept the offer he ought to do so. Polk would give no inkling of what sort of a message he would send. He did, however, again urge Allen strongly to get the resolutions voted on.

But the Senate was not yet willing to go on record in a vote, and the debate dragged on. While both factions were agreed that it was necessary to pass some sort of a resolution, the peace party were unwilling to vote until they were sure it would be in such a form as to preclude the possibility of war, and they were as yet not quite sure of their strength. On the first of April Senator Benton came out flatly for a compromise at 49° to the sea. In spite of the fact that he had taken a prominent part in Oregon discussions for twenty-five years this was the first time he had clearly stated his position<sup>32</sup> His speech provoked a bitter reply from Hannegan, who, as he said, had learned the lesson of 55° from Benton, his political teacher in many ways. He congratulated the Senator from South Carolina on the convert he had made; the antipodes had met. Replying to a jocular remark Benton had made about Cass as Agamemnon and Hannegan as Ajax he said:

"I would rather be the private soldier, than with my haughty foot press the lowly earth as though it were too mean for my tread; rather be the private soldier than in every look, and attitude, and act, and expression, proclaim—"I am the ruler! I will rule or I will ruin; and it is indifferent to me whether the consequence be rule or ruin!" Sir, be he who he may, there is no man in this land so high as to have it in his power to elevate or depress public sentiment in America at his will. Be he who he may who makes such an attempt, he will speedily

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<sup>32</sup> *Globe*, XV, 581 seq.



find his level. 'Little Ajax' let it be; but let me remind the Senator from Missouri that Agamemnon and the Ajaxes were not the only actors at the siege of Troy. There was an Achilles there; and we may have an Achilles here. Let the Senator from Missouri beware, lest he be the Hector who will grace the triumph of this Achilles."

It may be questioned whether the burst of applause from the galleries which followed this speech was all due to the warlike temper of the auditors or in part to the too-true picture of the venerable Senator from Missouri, whom Calhoun once called the "Great I AM THOMAS H. BENTON."

Benton's speech, and especially the argument based on Jefferson as the "discoverer of Oregon," started again the subject of title which was debated for some three weeks more. In the course of it Mangum, a Whig from North Carolina, charged the President with "botching" the whole business;<sup>33</sup> the firebrand of the Oregon question (it had formerly been the "firebrand of the Texas question") had been thrown among a people prone to be warlike, and yet there was obvious contradiction between the Message and the lack of warlike preparations. The Administration was remarkable for its secretiveness; the President had so placed himself on the question that he could move in either direction without dislocating his political opinions any more than he would his physical structure; he could agree to a compromise on 49° without being absolutely denounced by the mass of Americans. After this, Mangum thought, the Chief Executive should be chosen from among the able men of the land.

Had the Senator from North Carolina been present that same evening at an interview between Colonel Benton and the President he would have been doubly convinced of his own acumen. Benton told Polk that it would be better to settle on the compromise line and asked the President whether it might not be well to ask the Senate whether the offer should be renewed. Benton thought this a good plan and believed he would make a speech on the subject. Polk told him it would

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<sup>33</sup> *Ibid.*, 635-6.

be well to wait until an Executive Session otherwise the British government would know the whole situation as well as the Americans did, and the United States would have exposed its hand while the adversary kept hers concealed. This point appealed to Benton and he agreed to wait before he spoke on the subject.<sup>34</sup>

A request of the eleventh of April for copies of late correspondence produced the reply that there was nothing new to submit. Literally this was true but the Senate might have received a great deal of information had the President chose to transmit copies of some of the letters received from McLane. With or without new letters, however, the Senate was at last wearying of its protracted debate and fixed a day upon which it should end, but not so early that Sam Houston, the new Senator from Texas, could not add his voice for a naked notice, 54° 40', and war if necessary.

On April sixteenth, the day for the vote, Allen moved that the House resolution be taken first, but Reverdy Johnson's motion that resolutions, which were essentially Crittenden's preamble and bill, be adopted as amendments to the House resolutions showed the Senate alignment on the whole topic. The amendment was adopted by a vote of 30 to 24. The minority was all Democratic, with twelve western Senators in the number. The majority rallied the Whig vote from all sections together with six Democratic votes—Calhoun and McDuffie of South Carolina, Haywood of North Carolina, Lewis of Alabama, Speight of Mississippi, and Westcott of Florida.

The result of the vote provoked Allen to lecture the Senate on its stand; he said the preamble was inconsistent with the resolutions for the President had called upon Congress to advise him, and now the Senate referred the matter back to him after having accused him of want of discretion in the past. Now Great Britain would drag out the negotiations until after the adjournment of Congress, make further military prepara-

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<sup>34</sup> Polk, *Diary*, I, 324-5.

tions, scare the Administration and get all of Oregon. The result was not to be changed, however, and the conciliatory resolutions were passed by a vote of 40 to 14. The fourteen Invincibles included Evans and Fairfield of Maine (the former a Whig), Clayton of Delaware, Dickinson of New York, Jeness of New Hampshire, Sturgeon of Pennsylvania and Westcott of Florida.

The House was not satisfied with the resolutions as they came back from the Senate, and struck out the words "at his discretion" in the part authorizing the President to give notice. This move was viewed with apprehension by the President and his Cabinet who feared that the non-concurrence of the House meant that the Senate would indefinitely postpone action.<sup>35</sup> This fear was increased when the Senate refused to accept the House amendment by a vote of 29 to 21. In its turn the House refused to recede from its amendment, and the Senate, when informed of the vote, was equally stubborn. A committee of conference was appointed, composed in majority of peace men, and after two nights' discussion brought in a report which, as Allen pointed out to the Senate, was identical with Crittenden's original measure. Nevertheless the report was adopted in both houses (42 to 10 in the Senate and 142 to 46 in the House) and the President was authorized, "at his discretion" to give the notice, while "the attention of both Governments" was "the more earnestly directed to the adoption of all proper measures for a speedy and amicable adjustment of the differences and disputes in regard to the (Oregon) territory."<sup>36</sup>

"Our triumph is complete," wrote Calhoun to his son-in-law, "in both houses and in the country; of which the majority in the two houses on the resolution for giving notice affords an indication. With little exception the vote separates the war and peace parties."<sup>37</sup> Calhoun still feared that the notice would be given to extort an offer from Great Britain

<sup>35</sup> Polk, *Diary*, I, 335-6.

<sup>36</sup> *Globe*, XV, 720; the resolutions were passed 23 April.

<sup>37</sup> To T. C. Clemson, 25 April, *Correspondence of Calhoun*, 688-9.

rather than to serve as a means for reopening negotiations and thus further complicate the situation which had been "wretchedly managed, and ought to have been settled long ago."<sup>38</sup>

The President lost no time in acting on the authority conferred by the resolutions; the notice was given in the simplest form directed not to Aberdeen as Secretary of State for Foreign Affairs, but to the Queen herself, a peculiarity which was satirically commented on by the British press.<sup>39</sup>

Among the motives which made the conciliatory attitude prevail in Congress was concern about the Mexican situation. In January, when it was definitely known that the Mexican government would not renew diplomatic relations by receiving Slidell, General Taylor had been ordered to the Rio Grande. On the twelfth of April General Ampudia ordered the American commander to withdraw his forces beyond the Nueces. This challenge was not known officially in Washington until the ninth of May but earlier rumors of the general situation had come, causing Cabinet discussions of the Mexican affair. Polk had spoken to some congressmen of his thought of outlining the whole situation in a message to Congress, but the peace men, Calhoun especially, urged him to wait until the Oregon matter should have been settled. On May eleventh, however, when General Taylor's communication had been received, Polk sent to Congress a message announcing that hostilities had begun, and the Oregon Question retired from the center of the stage.

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<sup>38</sup> Calhoun to J. E. Calhoun, 1 April, *Ibid.*, 688.

<sup>39</sup> Polk, *Diary*, I, 355, 360. Niles' Register, 12 Sept., 1846.



## CHAPTER IX

### OREGON AND CONGRESS: 1845-1846

While the attitude of Congress toward Oregon has been brought out in the discussion of the "notice" resolutions, it would be leaving the matter inadequately treated if reference were not made to other lines on which the whole question was attacked during the session. The Message recommended other action than that alone: the protection of emigrants, by military posts and forces; extension of the laws of the United States over its citizens in Oregon, in default of which they had been obliged to organize themselves provisionally; establishment of an overland mail route; provision for an Indian agency and laws regulating intercourse with the Indians.

Protection of American citizens both in the territory and on the Oregon Trail necessitated, the President thought, an adequate force of mounted riflemen. This recommendation, together with the Message's information on the negotiation, caused Senator Cass to introduce resolutions directing the respective committees on Military Affairs, Militia and Naval Affairs to inquire into the condition of the defensive forces of the United States and to recommend such changes as seemed necessary. Cass definitely stated that there was little doubt of the United States being in danger of war over Oregon; the notice would be given, the United States would have to recede from the position taken by the President or war would follow at the expiration of the year. Thus the war party first sounded its trumpet, and drew from the peace party a counterblast, for the whole Oregon Question was invoked. Rather than precipitate a debate over a subsidiary point the Senate passed Cass' resolutions unanimously and then took up the question of notice.<sup>1</sup>

Just after this discussion the Administration learned of the warlike preparations in England and the question of defence

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<sup>1</sup> *Globe*, XV, 43-60.

was seriously considered; the Secretaries of War and Navy, it was decided in Cabinet, should consult with appropriate committees of each house and assist in the preparation of proper bills. The result of this decision and of the receptive mood of the committees was the introduction of measures in both branches of Congress for an increase in the armed forces of the country. Haralson, for the House Committee on Military Affairs, brought in a bill for two regiments of mounted riflemen and moved its reference to the Committee of the Whole House as a special order of the day. Objection to this produced a result similar to that coming from Cass' resolutions in the Senate, and discussion immediately switched from the subject in hand to Oregon, joint occupancy and all the other aspects of the question.

Haralson, who desired the bill to be considered on its own merits, stated that the committee had not framed it with an idea that it would be looked upon as a measure of preparation arising from the international situation. He withdrew his motion for a special order and called for the previous question on reference to the Committee of the Whole. The House, however, was not going to be cheated out of discussion in this fashion, just because the Committee on Foreign Affairs had been slow in reporting, and refused to desist, continuing its debate on the President and his policy with Oregon into the next day. Then came Sunday, and on Monday the Committee on Foreign Affairs, having been spurred into activity, reported and Oregon could be discussed under the resolutions for notice. Until that topic had been exhausted and the resolutions passed no other matters dealing with Oregon could get a continued hearing before the House.

On the twenty-third of March the bill for mounted riflemen was taken up again. On the tenth of the previous month occurred one of the events which gave point to the proposed measure. The House, in response to a resolution, had received from the President information calculated to show that there was a possibility of hostilities with Great Britain. McLane's

letter<sup>2</sup> of January third, which had told that Aberdeen, while denying the preparations were pointed at America, said Her Majesty's government had to consider the possibility of difficulties over Oregon, accompanied the correspondence with Pakenham over arbitration. Another incentive, in spite of the pacific turn in the debate on the notice, had been furnished by the Senate resolution of March seventeenth calling on the President to state whether there was anything in the relations of the United States which called for an increase in the naval and military establishments. All these occurrences, together with the disquieting rumors from the Mexican border and newspaper accounts of British sentiment, made some Congressmen feel that some preparation was wise. On the other hand, many of the Oregon men were discouraged at what had happened in the Senate and openly stated their belief that the House, too, had lost its zeal for the Northwest Coast. Then, on March twenty-fourth, came the President's Message in answer to the Senate resolution. The next day the House, without debate, passed the bill for the mounted riflemen by a vote of 165 to 15.<sup>3</sup>

In the Senate Benton had also introduced a bill for riflemen and for posts along the road to Oregon. He described it as a peace measure calculated merely for the defence of the frontier, and as such it was passed without discussion early in January.

Further results of the conferences between the heads of the War and Navy Departments and the Congressional Committees were also in evidence. Fairfield, chairman of the Senate Committee on Naval Affairs, by reporting a measure for ten additional steam warships brought about a discussion of the possibility of war with Great Britain, but no action was taken. Haralson, toward the end of January, brought before the House a sweeping measure by which the President would be authorized "to resist any attempt . . . on the part of any foreign nation to exercise exclusive jurisdiction over any

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<sup>2</sup> Polk, *Diary*, I, 133-4; *Globe*, XV, 332.

<sup>3</sup> *Ibid.*, XV, 553 seq.

part of the territory of the United States, or any territory in dispute between the United States and any foreign government, as well as to sustain the rights of the United States to, and to repel invasion from, the said territory." Six- or twelve-month volunteers might be called upon and a sum of money was to be appropriated. This measure, like the naval bill in the Senate, did not advance, nor, indeed, was there any debate upon it.

In April when it was seen clearly enough that the resolutions for notice, probably with some qualifying restrictions, would pass, the House took up the riflemen bill in order that it might be passed in time to provide troops which could be of some service in the spring migration to Oregon. With amendments, which increased the discretion of the President in the matter of organization of the force, and provided for grants of land in Oregon, the bill passed on April eleventh.

Immediately after passing this bill the House took up another measure on Oregon which had been reported from the Committee on Territories in December but which had been shoved aside for other topics. This bill would extend the jurisdiction of the Supreme Court of Iowa over American citizens in the territory west of the Rockies and in that west of the Missouri River between 40° and 43°. It further provided a grant of 320 acres of land for every white person, male or female, over the age of eighteen, who should have resided in Oregon for five years, although this provision would not become active for five years. Its object as an inducement to Oregon emigration was rather obvious. The bill further provided for placing the Indian trade under a Superintendent of Indian Affairs. As originally introduced it had made provision for blockhouses along the Oregon route, for two regiments of mounted men "to guard and protect emigrants, settlers, and traders against the Indians," and for carriage of mail at least once a month from Fort Leavenworth to Coast points *via* South Pass.

The Oregon title was debated anew as the result of an



attempt to limit the operation of the measure to points south of 49°. The Oregon men would specifically rather than by implication extend jurisdiction over all the disputed region, although J. Q. Adams, in defending the title clear to the Russian line thought that no action on this bill should take place until the Senate had passed the notice. The House, however, was apparently in no mood to maintain a protracted debate on the title, so after two days' discussion the bill, with the mounted riflemen clauses dropped, was reported by the Committee of the Whole in essentially the same form it had come from the Committee on Territories. In the final steps in the House Garrett Davis' amendment for a fully organized territory and two amendments bearing on the slavery question were rejected, and the bill was passed, two days after the Senate resolutions on the notice were passed.

The measure was received in the Senate and referred to the Committee on Territories where it rested although the President urged Benton to take charge of it and press it for he feared the Whigs, with a few Democrats, would be inclined to suppress it. Haywood also was consulted, but he was disinclined to act, whereupon Polk told him that the action of the House had shown the attitude of the country, and if the Senate should block the matter he, as President, would make it an issue before the nation. But Haywood could promise no more than look into the question.<sup>4</sup> The Senate's dilatoriness delayed House action on another bill which had been introduced to provide regulation of Indian affairs west of the Rockies. An ordinary measure of its kind it had passed to the third reading on April twentieth and then further action was postponed until the first of June when it should be seen what the upper house did with the jurisdiction bill.

It is to be noticed that all these measures dealing with Oregon, except the resolutions for notice, came to a standstill in the latter part of April. There was a disposition to wait and see what would be the result in England of the passage of the notice before further action was taken.

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<sup>4</sup> Polk, *Diary*, I, 376-8 *passim*.

Before news from England could be received, however, the Mexican situation came to the crisis and swept everything else aside. Two of the measures for defence, which had proceeded through the first stages, fitted in most opportunely with the new conditions. The House bill authorizing the use of the military and naval forces of the United States and such portion of the militia as should be necessary was taken up the day the President's Mexican Message was received (11 May) and passed by an overwhelming majority. The blanks were filled to allow a call for 50,000 volunteers and the use of \$10,000,000, while the preamble was amended to state that a condition of war existed between Mexico and the United States.<sup>5</sup> It was passed by the Senate the next day with but two dissenting votes.

Two days later the bill for mounted riflemen with the House amendments, which had been reposing in committee, was hastily brought to light, the House amendments rejected and passed. The House receded from its amendments and the President signed the bill.<sup>6</sup>

Men began to wonder and to relate various apparently disconnected circumstances: they found themselves wholly at a loss to explain the course of the Administration. Witness C. C. Cambreling, writing from Washington just after the Mexican Message reached Congress:<sup>7</sup>

. . . "I am utterly astonished at the little judgment and less integrity which has distinguished the course of this administration. First as it regards England—when some three or four months ago she was making war-like preparations—McLane was instructed to inquire of Aberdeen whether those preparations were intended for us—and now it appears that before the enquiry was made, Bancroft was 'confidentially' recommending ten war steamers—the Bureaus forty war steamers and March fifty thousand volunteers with the knowledge and approbation of the President! What explanation could McLane make to Aberdeen of these secret preparations

<sup>5</sup> *Globe*, XV, 791, 795, 804.

<sup>6</sup> Polk records (*Diary*, aI, 407-24 *passim*) that he was besieged by hundreds of applicants for the thirty-odd commissions which the act created.

<sup>7</sup> To Van Buren, 16 May, *Van Buren Papers*, Vol. 53.

for war in the face of our demand of the British government? How uncandid and dishonorable must the conduct of the President and his Prime Minister appear in the eyes of all honest men."

The feeling that the Administration had blundered was expressed on every side.

. . . "The administration, as such, has no cordial support in either house of Congress, and in the three important branches at the present time, considering the state of our foreign relations, of State, war and navy, the general and prevailing sentiment certainly is that they are wanting in nearly every qualification that the emergency requires. I do not think it is well possible to have mismanaged more completely the negotiations either about Oregon or with Mexico; for certainly all the international occurrences both in England and Mexico have been such as to have aided our views had they been judiciously taken advantage of . . . ."<sup>8</sup>

The mounted riflemen, intended originally for Oregon, were used in the conflict with Mexico, and this is a good illustration of the fate of the measures dealing with the Northwest Coast. The House bill for extending jurisdiction of American laws over Oregon was thought by the Senate Committee on Territories inexpedient at the time, although Westcott, for the committee, reported that it was believed Congress should provide a territorial organization and gave notice that he would move a postponement of consideration until the following December. Benton took occasion (it was the twenty-first of May, while all were awaiting news of the British reception of the notice) to prepare the Senate for an offer of 49° from Great Britain.

In a speech which occupied several hours on each of three days<sup>9</sup> he proceeded to demolish, to his own satisfaction at least, the fiction that 54° 40' was a line for the northern boundary of the United States' claim. It was, he said, the intention in 1824 to divide the Pacific Coast between Russia, Great Britain and the United States, Great Britain taking the middle portion from 49° to 54° 40'. The plan did not work out, owing

<sup>8</sup> H. D. Gilpin to Van Buren, 24 May, *Ibid.*

<sup>9</sup> *Globe*, XV, 847, 850-62, 913-20. This speech was in line with Benton's proposition when he consulted the President on April ninth. Polk, *Diary*, I, 325.

to the attitude of Russia, so the other nations each negotiated directly with the Czar and then arranged between themselves the non-colonization agreement; each confined Russia to the coasts and islands north of  $54^{\circ} 40'$ . But  $54^{\circ} 40'$  had been taken up as a line to which the United States had always laid claim, the more so because of a map made by Mr. Greenhow, a clerk in the Department of State, who so long as he confined himself to the business of copying maps and voyages did very well, but when he went to issuing opinions upon national subjects and setting the world right about the execution or non-execution of a great treaty, such as that of Utrecht—"when he goes at this work, the Lord deliver us from the humbug!" The map on which Mr. Greenhow and those who had been so eager for war and  $54^{\circ} 40'$  did not show that line as a limit for the claim of the United States but merely a line which separated Russian from British claims. This was known to American negotiators when they had offered to settle at  $49^{\circ}$ .

"This is the end of that great line! All gone—vanished—evaporated into thin air—and the place where it was not to be found. Oh! mountain that was delivered of a mouse, thy name shall henceforth be fifty-four forty!

"All Oregon or none!"

The whole theme of Benton's speech was that the treaty of Utrecht had settled the whole question;  $49^{\circ}$  had been forced upon the United States in 1803 and 1819 as the northern boundary of Louisiana and as such had been submitted to by Great Britain. Jefferson's attitude in dealing with the Louisiana Territory after its purchase demonstrated that he thought so. Finally turning to the bill before the Senate Benton maintained that it was not in accordance with the recommendations of the President who wished Congress merely to go as far as Great Britain in the matter of jurisdiction and no farther. All the Oregon measures would have passed long ago, just like the blockhouse bill, if they had not been brought in as war measures. He moved a recommitment with instructions to the committee to prepare an amendment extending the laws of the United States over Oregon to the same degree that the



British Act of Parliament had extended British laws, and to bring in a bill for a full and perfect territorial organization to go into effect as soon as the convention for joint occupation should have been annulled, and to apply to such a portion as should be agreed upon with Great Britain. Until an agreement should have been reached let the northern limit be 49°.

Cass took up the issue and contended that Americans would never be satisfied with this explanation until evidence had been brought from Paris to substantiate it. He accused Benton of reversing the stand he had taken in 1842 and 1843. Neither Benton nor Cass, however, could obtain action for the majority agreed with Webster when he said that he would never think of creating a territorial establishment before the boundary had been settled.

Even after the ratification of the treaty which did settle the boundary there were further obstacles to be overcome. When, on the twenty-fifth of June, the question of a date for final adjournment came, several Senators agreed that something should be done before the session closed, but as a steamer was due on the third of August and the British ratification would probably arrive then, they thought it would be well to take up other matters until that time. The ratification arrived according to schedule, and the treaty was laid before Congress, but still the organization was delayed. Senator Hannegan, still resentful over the defeat of his plans, said that it was inconceivable that a bill for territorial government should be passed before the treaty had been debated. The treaty was nothing more or less than another agreement for joint occupation south of 49° while Great Britain had a clear title north of that line; the grant in perpetuity to the Hudson's Bay Company of free navigation was evidence of his contention.<sup>10</sup>

It was not the fault of the House that Congress adjourned with no definite Oregon action. On the same day the treaty was received from the President (6 August) the Committee on Territories brought in a bill. With almost no discussion

<sup>10</sup> *Globe*, XV, 1023-4, 1179, 1198-9. Cass (*Ibid.*, 1204) agreed with Hannegan about the navigation of the Columbia.

the Committee of the Whole House reported it to the House with the amendment that "neither slavery nor involuntary servitude (should) ever exist in said Territory, except in the punishment of crimes." By a vote of 108 to 43 the House accepted the amendment and passed the bill.<sup>11</sup> But the Senate would not act.

While the measures just described were the chief of those before Congress, they were by no means all. Among the Oregon activities two committee reports, one in each house, on the question of a railroad to Oregon deserve a few words. In the House a memorial from George Wilkes and others praying Congress to appropriate the means of constructing a railroad from some point on Lake Michigan or from Fort Independence was referred to the Committee on Roads and Canals. The committee reported<sup>12</sup> that while it found no constitutional obstacle the whole scheme was too gigantic and impracticable at the time. In the Senate where Eli Whitney again attempted to get a hearing for his Northern Pacific Railroad, Senator Breese appeared as a supporter of the proposition. He introduced the memorial, spoke in its favor, and, for the Committee on Public Lands, reported a bill. When the bill had been read in part Senator Benton interrupted to say that it was entirely improper then to take the time of the Senate for such an absurd matter; here was a person who applied to Congress for 90,000,000 acres of public land and agreed to build 3,000 miles of railroad, in the face of that he would not be surprised if some one came along and offered to take over the whole government. The bill was not only the most ridiculous and absurd ever presented to Congress but it was impudent as well. The Senate, however, was less outspoken in its scorn, and allowed the committee to have its report printed.

Oregon came up in resolutions from State legislatures, in petitions touching upon all sides of the controversy, as well as in requests for grants of land; among the latter was one from the widow of Captain Gray, the discoverer of the Columbia

<sup>11</sup> *Ibid.*, 1200-3.

<sup>12</sup> *Ho. Rep.* No. 779, 29th Cong. 1st. Ses.

River. Oregon appeared in the debates on the Rivers and Harbors Bill in an amendment "for the improvement of the Columbia river in Oregon, \$100,000," whereat one Congressman said he had no objection to a little sport but he thought it was going too far to propose an appropriation for the Columbia until it was known "whether we owned it or not." "But the title is 'clear and unquestionable' you know," came the response from various parts of the House.





## CORRESPONDENCE OF REVEREND EZRA FISHER

Edited by SARAH FISHER HENDERSON, NELLIE EDITH LATOURETTE, KENNETH SCOTT LATOURETTE

(Continued from Page 372 in *Quarterly* for December, 1918)

Oregon City, Oct. 8th, 1854.

Rev. Benjamin M. Hill,

Cor. Sec. Am. Bapt. Home Mission Soc.

Dear Brother:

Yours of Sept. 18th containing your account with me, also a bill of goods sent me by the Am. Bapt. Home Mission Society Sept. 6th, amounting to \$466.66, with a bill of lading for six boxes and two barrels of merchandise, were received by the last mail. Was very glad to learn that they are on the way. Since I last wrote I have visited West Tualatin Church and spent nearly a week with the Shilo Church on a council called on account of difficulties existing between Elder — and the majority of the church on one hand and the minority of the church on the other. Br. — had been quite imprudent and serious charges were preferred against him, but with not sufficient proof to induce the council to recommend his being deposed from the ministry.<sup>352</sup> After three days' and two nights' hard labor, the council gave their advice to the church and all the parties concerned, which resulted in an amicable adjustment of all difficulties. We have felt the necessity of our church members understanding and practicing gospel discipline in case of difficulties before they come before the church. Our Divine Master has condescended to give us the most simple and yet the most perfect rules for discipline either in private trespasses or public immorality.

Yours with sentiments of Christian affection.

EZRA FISHER.

Received Dec. 26.

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<sup>352</sup> This was Rev. William M. Davis. Shortly after the first council here mentioned, a second council was called, which urged drastic action, and the church entirely repudiated him.—*Mattoon, Bap. An. of Ore.*, I:10.

Oregon City. O. Ter., Oct. 17th, 1854.

Rev. Benjamin M. Hill,

Cor. Sec. A. Bap. Home Mission Society.

Dear Brother:

I have just returned from the yearly meeting of the Pleasant Butte Church, seventy-five miles up the valley from this place and thirty-five south of Salem. This church, like all our churches, is located in the heart of a flourishing country admirably adapted to grazing and the growing of wheat, corn, oats and all kinds of vegetables and fruits adapted to this climate. I spent ten days with the church, preaching Saturdays and Sabbaths and one sermon each night. The meetings were interesting, but not attended with the same results as last year. During the meeting six were added by letter, one was received for baptism, there were two hopeful cases of conversion and four or five others were manifestly interested in their souls' welfare. Br. Wm. Sperry is the pastor with whom I have labored. This church has a flourishing Sabbath school and meets every Sabbath for preaching or prayer. The converts of last year appear very well. The church will probably hire a man and put him on Br. Sperry's farm the coming year and by this means mostly liberate him to the work of the ministry in that church and vicinity. This is much better than the entire neglect of the ministry. This closes up our yearly meetings till the opening of the spring. I had hoped that I should have been able to give particular attention to Washington Ter. at the close of this meeting, but there are two pressing calls, one in Washington County and the other in Marion, twelve miles south of Salem, which are obviously more immediately important than the exploration of Washington Ter. at this season of the year. Our brethren here urge a delay of the exploration of that territory till another season. So also the Methodist minister<sup>353</sup> who has charge of that district advises. I am collecting facts relative to the region of Pugets Sound and shall be able to give you a pretty

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<sup>353</sup> This was Rev. John F. De Vore.—George H. Himes.

general view of the relative importance of that country in three or four weeks. My present impressions are that the Baptist cause in that region is not suffering so much for the want of immediate attention as the more populous parts of Oregon and California are. Here we have numbers of organized church, which must be visited occasionally, and of settlements where churches might be constituted if they could have the encouragement of preaching four Sabbaths in a year, and for want of which labors our members are either lying still or joining Methodist and Cumberland Presbyterian churches. I visited Salem on my return from Pleasant Butte Church last week. Find Salem, the capital of the Ter., with a population of about 1200 souls, with a Methodist Episcopal church and a good house of worship, a Protestant Methodist church and house nearly finished, an Episcopal house completed and a Congregational church and house completed. Found but five Baptist members in the place and but one of them who can be considered permanent. There are two members probably permanently located two miles from the town who wish to promote the cause in town. The whole surrounding country is settled mostly on section claims one mile square. The place must have a rapid growth. There is no doubt but a man if sent there and supported would call a small congregation around him, if his talent were popular and piety undoubted, with good, sound common sense, and he might hope to see his congregation increase with the growth of the place. Besides, a good substantial, efficient minister located there would do good service through the whole surrounding country with its four Baptist churches. Salem certainly should not be long neglected by your Society. Some aid no doubt could be obtained from the surrounding churches towards sustaining an effective minister in that place. Yet most of a minister's salary would have to come from home, and it would require from \$600 to \$800 to give a family of ordinary size an annual support. I have no doubt but the expenditure for such an appointment would be judicious, if your Board

can sustain such a man there after supporting the suffering cause at Portland and Oregon City, both of which places are probably in greater need of a minister than Salem. Portland has some permanent and able supporters. At Oregon City is our school for the Territory. All our towns are subject to frequent changes, yet they are towns, and will continue to be places of trade from which an influence will be continually going out into the surrounding country and into the whole world. A minister's Sabbaths should mostly be spent in town unless he can have his place filled occasionally by proxy, or little can be effected by the side of other organized churches with a stated Sabbath ministry.

As ever yours,

EZRA FISHER.

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Received Nov. 25.

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Oregon City, Ore. Ter., Nov. 8th, 1854.

To Rev. Benjamin M. Hill,

Cor. Sec. Am. Bapt. Home Mission Soc., New York.

Dear Br. Hill:

This is to inform you that Rev. William F. Boyakin,<sup>354</sup> formerly from Carrolton, Illinois, and late of St. Joseph, Missouri, arrived in Portland about the tenth of October with his family. Since that time he has been preaching to the scattered Baptist brethren in that place. I visited Portland three weeks since on a tour west and south. Found he was making a favorable impression on the minds of the Baptist members and the public; gave them some advice. Since my return Br. Boyakin has preached in this place. He informs me that the Baptist members have invited him to labor with them in Portland for one year and that they have agreed to ask the Home Mission Society to appoint him as their missionary to Portland for one year with a salary of \$800, \$200

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<sup>354</sup> Rev. W. F. Boyakin helped to organize the Portland Church in May, 1855. In 1856 he moved to Corvallis at the invitation of the church there.—Mattoon, *Bap. An. of Ore.*, I:11, 14. Mattoon says he was from Mississippi.



of which the people pledge themselves they will pay. They therefore ask your Board to pay him \$600 of the \$800. I have the impression that your acquaintance with Br. Boyakin's reputation as a preacher is better than mine. I think he has been favorably known, both in Illinois and Missouri, as an effective Baptist preacher. I think from the short acquaintance I have with him that he is well adapted to get up an interest in Portland. He commends himself at once to the people as an eloquent man well acquainted with that form of human nature which develops itself in our rising towns in the West. He seems to have the true missionary spirit. Should he continue to wear as he now promises, we have no man in Oregon so well adapted to that field as he is. I think he will need \$800 salary to support his family (of 7 persons I believe) in Portland. I think the people will supply \$200 of the salary, probably not more the first year. Br. Boyakin is poor, having expended almost all his means in reaching the field, seems desirous of trying what he can do in Portland and I am now impressed favorably with the thought that the Lord has directed him in a very favorable time to his appropriate field of labor. He is calling a good congregation to a school-house which the brethren have fitted up temporarily as a place of worship. As it relates to the importance of the place, you hardly need any further information. Portland is the principal port for Oregon at present, numbering probably about 2000 souls, with from 30 to 50 trading houses, wholesale and retail, and must, for years at least, be the most commercial town in the Territory. When the resources of the country are developed, I think the great commercial city of the Columbia River will be somewhere below the mouth of the Willamette River, yet Portland will even then be an important point. By a reference to the map of the surveyed parts of Oregon, you will see that it is 14 miles above the mouth of the Willamette in the heart, or rather at the foot, of one of the most fertile portions of country in North America. Our country is fast filling up and, although at present the influence of the Nebraska and Kansas movements may for two or three

years somewhat retard our onward progress,<sup>355</sup> yet I think the immigration will be checked only to flow in more abundantly when the Nebraskan excitement shall have worked its discontent among the early settlers to that territory. I trust your Board will be prompt in making the appointment and may God in His infinite mercy bless to the building up of a strong interest in Portland and the surrounding country.

With much esteem, your unworthy brother,

EZRA FISHER.

N. B.—Br. Boyakin, in behalf of the brethren in Portland, will make the application stating the time they will wish the appointment to take effect.

Received Dec. 26.

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Oregon City, O. Ter., Jan. 1st, 1855.

To Rev. Benjamin M. Hill,

Cor. Sec. of Am. Bap. Home Mission Society:

Herein I send you my report of labor under the appointment of the Home Mission Society as Exploring Agent for the third quarter ending the thirty-first day of Dec., 1854. During the quarter I have visited Portland twice, the Cascades in Washington Ter., The Dalles, east of the Cascade Mountains, West Union Church, West Tualatin Church twice, Shilo Church and a settlement of unorganized Baptists near the junction of the Columbia and Sandy rivers in Clackamas County; labored 13 weeks; traveled to and from my appointments 617 miles; paid nine dollars eighty-two cents (\$9.82) for traveling expenses and eighteen cents (\$0.18) for postage; preached 20 sermons. I attended a council in case of difficulty of a serious kind in which I labored three days and almost two nights, with but six hours' intermission. The result of our labors seemed blessed under God in restoring union to the distracted church,

Respectfully submitted,

EZRA FISHER,

Exploring Agent.

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<sup>355</sup> The Kansas-Nebraska Act of May, 1854, organized these territories and left the question of slavery to the vote of the settlers. This led to a large immigration to these regions from both North and South.

Oregon City, O. Ter., Jan. 1st, 1855.

To Rev. Benjamin M. Hill,

Cor. Sec. of Am. Bapt. Home Mission Soc.:

Herein I send you my report of labor under the appointment of the Home Mission Society as General Itinerant for the 3rd quarter ending the 31st day of Dec., 1854. I have labored thirteen weeks in the quarter; preached 20 sermons; attended six prayer meetings, two church covenant meetings and one council of three days; visited religiously fifty-four families and other persons, one common school; traveled to and from my appointments six hundred and seventeen miles. Connected with the churches I have visited are three Sabbath schools, one in Pleasant Butte Church on Calapooia River, Lynn Co., one in West Union Church, Washington County, and one in Oregon City, numbering each about twenty-five scholars and four teachers.

Respectfully submitted,

EZRA FISHER.

General Itinerant.

Received Feb. 9.

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Oregon City, O. Ter., Jan. 15th, 1855.

Rev. Benjamin M. Hill,

Cor. Sec. Am. Bap. Home Mission Society.

Dear Br.:

I take my pen to give you a brief account of my late tour from this place to The Dalles, a rising town and a military post on the Columbia near the east base of the Cascade Mountains.

I left home on the 17th of Nov. and traveled twenty-two miles north to the mouth of the Sandy, a stream nearly as large as the Mohawk, which rises in the eternal snows of Mount Hood and flows into the Columbia at the west base of the Cascade Range, twenty-five miles west from the celebrated Cascade Falls. Having failed of reaching the Columbia in time to take the regular steamer, I was detained

several days till the next trip of the boat. Here I found between fifteen and twenty Baptist members, including an aged minister (Br. Bond), with an enfeebled wife for many years mostly confined to her bed. They are scattered through a fertile, timbered, undulating country eight or ten miles from north to south and perhaps half that distance from east to west. Br. Bond is preaching what he can while laboring with all his powers to obtain a comfortable support for himself and helpless family. These brethren occupy prospectively one of the most important country positions in all Oregon, but at present they have to contend with all the inconveniences of removing forests of enormous growth before they can reap a harvest from their generous soil. However, they will soon be placed above want and probably abound in the farmer's wealth. A church will be constituted here in the coming spring, if not before. This point is more promising than many fields in the Mississippi Valley where labor and money are expended by missionary societies.

The following week I took the steamer and visited The Cascades, a town site, with eight or ten families scattered on the north bank of the Columbia for a distance of three miles from the head to the foot of the Cascade Falls, about midway of the Cascade Mountains, from east to west. These families have resorted here for matters of speculation and, with few exceptions, manifest less desire for the bread of eternal life than for the mammon of unrighteousness. This is the great natural gateway through the Cascade Mountains and must at no distant day become a place of great commercial and manufacturing importance, it being the head of ship navigation to the Columbia and there being a vast region of the best grazing country in North America on the Columbia and its hundred tributaries, which must soon be put in requisition to graze the cattle and horses of Oregon and Washington territories. Occasionally through the summer a Methodist circuit preacher has visited and preached in this place. Here I found one pious Methodist sister and one or two Campbellite members. The country on the north bank of the Columbia is now settled



with families and bachelors most of the way from this place to Vancouver, a distance of forty-five miles.

The next week I took the steamer<sup>356</sup> for The Dalles; ascended the broad, deep Columbia twenty-five miles to the mouth of Dog River,<sup>357</sup> a considerable stream tumbling down with great rapidity from the snowy sides of Mt. Hood. Here I found Br. Coe, late postal agent for Oregon, and wife. This settlement consists of three white families, but will soon be swollen to fifty or 100. The steamer having left me, on the 29th of November, to save a weeks delay and an exorbitant price for an Indian and horses, I took my post-bags and traveling apparel on my back at ten A. M. and took the emigrant trail. which lay over high mountains and through deep defiles, and, although the thawing of the frozen ground coming in constant contact with my India rubber boots rendered the traveling exceedingly slippery, I reached the first settlement, three miles from The Dalles, a distance of eighteen miles, at four P. M., unusually fatigued, yet grateful to the gracious Giver for strength to perform even the physical labors of a pioneer missionary. I found twenty-four families, including three or four of the officers and soldiers, in this place and vicinity, beside a number of white men who had married Indian women and some thirty or forty single men in trade and farming, and gambling, as I had good reason to suppose.<sup>358</sup> Here are stationed two or three companies of government troops to defend our frontiers from Indian invasion. Here also are constantly a considerable number of Indians, amounting to forty or fifty families, who dwell here and cultivate small fields of potatoes, corn and melons. Here too the Roman Catholic Church have a mission established with the Indians and have set up their claim to 640 acres of land for the mission, immediately below the town and extending almost to the river bank.<sup>359</sup>

<sup>356</sup> This steamboat was probably the "Mary," the first steamer to run between the Cascades and The Dalles.—Bancroft, *Hist. of Wash., Idaho and Mont.*, p. 145.

<sup>357</sup> This is the present Hood River. It was called Dog Creek, because in the early forties some immigrants camping there were reduced to dog meat for food.—George H. Himes.

<sup>358</sup> See note 300.

<sup>359</sup> This claim of the Roman Catholics was later set aside. They were, however, allowed to retain about half an acre of ground for a building site.—Bancroft, *Hist. of Ore.*, II:292.

The soil in the vicinity of The Dalles is generally a loamy sand, mixed with vegetable mould and decomposed rocks of various kinds, some of which appear to contain considerable quantities of alkalies, in some places so much so as to prevent the growth of vegetation, except a kind of wild rye which grows with great luxuriance where the alkalies destroy all the ordinary grass. This soil must hereafter become very rich manures for lands requiring alkalies. Potatoes, onions, beets, cabbage, squashes, melons, wheat, oats, peas, etc., have all been successfully raised here.

The river from the head of The Cascades to this place is broad and sufficiently deep for the largest class of steamers and the current very gentle. This must be the great place of trade for all the upper Columbia country in all future time, unless a railroad should be constructed through this great valley to Pugets Sound, and in that event a branch will come down the Columbia to this place.

At this place I find two persons who have been Baptists . . . The same Methodist missionary circuit preacher who has visited The Cascades has visited this place a few times the past summer. The people here desire the labors of a good Protestant preacher, but as yet they are entirely uncommitted. An efficient, common-sense minister should be placed here to labor at this place and The Cascades. He would occupy emphatically a missionary post which will be a post of observation. It will prove to the great Columbia Valley what St. Louis or Chicago is to the Mississippi Valley. True it is small now, but it will soon be the key to hundreds of millions of wealth and millions of souls. I spent two Sabbaths at this place, preached to attentive congregations and received the most cordial hospitality of the citizens. Will your Board send a man to The Dalles and for once occupy an important post first among Protestants—one who may be able to work by the side of Romans, who are doing what they can?

I shall soon attempt to give you what information I have collected from Washington Ter.; also make one more earnest

appeal for Oregon City and other parts of the Willamette Valley.

Yours as ever with high esteem,

EZRA FISHER,  
Exploring Agent.

Received Feb. 26.

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Oregon City, O. Ter., Jan. 18th, 1855.

To the Rev. Benjamin M. Hill,

Cor. Sec. Am. Bap. Home Mission Society, New York.

Dear Brother Hill:

I shall be obliged to draw an order on you for \$200 or \$300 in favor of Abernathy, Clarke and Co., or Josiah Failing & Co. at Portland, in three or four weeks, as I am now straitened for funds to keep up my ordinary family and traveling expenses. I am also expecting to hear from the goods, which you shipped on the Wild Ranger for San Francisco, by every mail and I have not the means to pay the freight from San Francisco to this place. I send this that you may have at least two weeks notice before the order is presented. I gave Br. J. D. Post an order of \$150 on you sometime last summer or autumn, but have never heard from it since; but presume it is paid. If that is paid, I suppose there will be due me, after you receive my last report, which was made out and forwarded the first day of this month, about \$420. I have received \$13 from the Baptist Church in this place (Oregon City), and wish you to send twenty (20) copies of the Home Mission Record, twenty (20) copies of the American Messenger, twenty (20) copies of the Macedonian and one (1) copy of the Missionary Magazine, all postpaid, to William C. Johnson, Oregon City, if that amount will meet all the expenses; if not, send equal numbers of the Record and Macedonian, fewer of the American Messenger and one copy of the Missionary Magazine and prepay the postage, applying \$13 on these, no more and no less. Charge the same to my account. Also pay B. R. Soxley, Philadelphia, one dollar (\$1)

for Mrs. Mary Winston, Oregon City; also one dollar for Mrs. Rebecca Fanno, Portland, for the Mothers' Journal and Family Visitant and charge the same to my account. Will you see that this is promptly paid, as they wish to have their Mothers' Journal continued.

Received Feb. 26.

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Oregon City, O. Ter., Feb. 8th, 1855.

Rev. Benjamin M. Hill,

Cor. Sec. Am. Bap. Home Mission Society, Nassau St.,  
New York.

Dear Brother:

I take this opportunity to write you a few lines on matters in general. And first, our good people in Portland are about making an effort to build a house for public worship,<sup>360</sup> and today the ladies of that place make a dinner as the first effort in furtherance of that important work. As they commence the work in feasting, I hope they will complete it in praying. The church in Oregon City have been employing a temporary supply, or rather reciving it, since I left their service last June, but are making an effort to secure the labors of a man in Oregon, if they can, and ask the Home Missionary Society to aid them in his support, as they feel that there is great uncertainty in obtaining a man soon from the States. Oh, that the Lord would raise up faithful laborers and send a few to our Pacific borders! We are in perishing need of faithful pastoral labors throughout our churches. We must pray and try to raise up ministers in Oregon. I wish we had a well endowed school manned with two or three good pious professors, to which we could direct our young men who desire to serve God with singleness of heart. But money is now scarce, though this is not half so alarming as the fact that so few of our brethren take a comprehensive view of our wants and the true remedy. We must educate

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<sup>360</sup> The building was not actually begun until 1861.—Mattoon, *Bap. An. of Ore.*, I:140.



our ministry on the Pacific slope, and I am beginning to think that we are more able than willing. But this business must be accomplished by "line upon line." We cannot do this work at once, but we must not cease doing till this is done; then we shall support a pious, intelligent, efficient ministry. Our seat of government is removed from Salem to Corvallis, about thirty miles farther up the Willamette River.<sup>361</sup> Corvallis was formerly called Marysville, the county seat for Benton county. The Territorial University is removed from Corvallis to Jacksonville, county seat of Jackson County. Now we have an able church at Corvallis and I think we should make immediate effort to put in operation a high school at that place. I shall leave tomorrow with a view of visiting two or three churches in that vicinity. I shall feel of the public pulse, as it beats through some of our leading men, on the subject of bringing up an educational interest at the seat of government. We all think an enterprise of this kind will in no way operate prejudicially to our school at Oregon City, but rather favorably. As to the question of your removal from the Bible house, I hope the Society will let the good brethren in New York build you a good mission house, if that will end the unhappy strife.<sup>362</sup> What is \$40,000 or \$100,000 as an offset to an unhappy division?

Yours,

EZRA FISHER.

Received March 24.

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Oregon City, O. Ter., March 5th, 1855.

Rev. Benjamin M. Hill,

Cor. Sec. Am. Bap. Home Mission Society.

Dear Brother:

About three weeks since I drew an order on you in favor

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<sup>361</sup> The legislature of the winter of 1854-5 changed the capital from Salem to Corvallis, and the university from Corvallis to Jacksonville. The capital was relocated at Salem Dec. 12, 1855.—Bancroft, *His. of Ore.*, II:351, 352. The legislature of 1855-6 repealed all acts locating the university.—F. G. Young, *Financial Hist. of Ore. in Ore. Hist. Soc. Quar.*, VIII:162.

<sup>362</sup> In 1853 a serious discussion arose in the Baptist Home Mission Society over the acceptance from the American and Foreign Bible Society of rooms in its new building on Nassau Street. Friends of the "Bible Union" opposed the acceptance and the trouble threatened to split the Home Mission Society. The rooms in the A. & F. B. S. building were occupied until 1862.—*Bap. Home Mis. in N. Am.*, 1832-1882, p. 543.

of George Abernathy & Co. to the amount of \$300. This I did, as I have done a few instances before, on account of our great distance. The long delays, after making our quarterly reports, if we must first wait till we can get drafts from New York before we can draw on your treasury, sometimes subject us to great inconvenience. As in the present case, I had ordered a year's supply of clothing for my family a year ago last October (I think). The bill was lost in the ocean; a second order was made in about four months. The filling of the bill was no doubt necessarily delayed by the sickness of yourself and family. The goods were shipped almost a full year after the first bill was mailed at Oregon City, and last week I received three boxes and two barrels, a part only of the goods. I hope to hear from the balance in two or three weeks. But in this case my available means were used up, the money has been earned and the labor reported. I consequently made a draft on you, although it is out of your ordinary way of doing business. I trust your Board will pay the order and indulge me again under similar circumstances. I have received for religious periodicals the following sums which I wish you to pay to the respective agents and charge the same to my account: For the Mothers' Journal, from Hector Campbell, one dollar; Mr. Campbell wishes his Journal discontinued. From Mrs. Olive F. D. Ogle, one dollar; Mrs. Ogle is a new subscriber; her post-office is Fairfield, Marion Co., O. Ter. For the Christian Chronicle, Philadelphia, from Thomas M. Read of Marysville (now Corvallis), two dollars; he wishes his paper stopped. For the New York Recorder, from John Robinson, Marysville (now Corvallis), two dollars and fifty cents.

Respectfully yours,

EZRA FISHER.

March 6th.—I have just returned from a tour to the central part of the valley. Visited Santiam church, Corvallis (Marysville) church, Albany and French Prairie churches. Our churches seem too well contented with monthly Sab-

baths and rest apparently satisfied with few pastoral labors performed among them. The result is a want of spirituality, too great a conformity to the world and a reliance almost exclusively upon special meetings for seasons of refreshings from the Most High. I spent some time in endeavoring to ascertain the state of public sentiment relative to the expediency of establishing a school in the central part of the valley. All seemed desirous of seeing such a work put in successful operation, but as yet they have had no conference on the subject and want some effective man to take the responsibility upon himself of planning and executing. While this is being done, the Methodists, who have already three high schools in the valley and one in Umpqua, will step into Corvallis, the only important point now to be occupied and raise up an important school and leave us with the alternative of building up a high school at some unimportant post some six or eight years hence, or of raising a rival school at their door. Now the influence and wealth in the vicinity is Baptist more than any other denomination. The Baptists have the only house of worship in the place. The Methodists are making an effort to build a house of worship.<sup>363</sup> Lest they should not be able to drive all others out, they obtained a charter for a high school in the place as early as '51. The Presbyterians are looking to the place for the location of a college. Their principal proprietor assured me he would give a block of lots worth about \$1000 for the site, if the Baptists would build a good high school. Although the people in Oregon are almost destitute of money and are much alarmed at the hard times, I think a building worth from \$2000 to \$3000 could be built by the Baptists the coming year, if the brethren in the upper country would see their interests in their true light, without materially affecting the Oregon City College otherwise than favorably. You may reasonably ask, Why trouble ourselves about another school while the one at Oregon City can hardly live? In the absence of a good common school system, evan-

<sup>363</sup> The Methodists dedicated their church building in Corvallis in December, 1856.—Bancroft. *Hist. of Ore.*, II:352.

gelical Christians have opened schools adapted to the wants of the people, employed good, pious teachers, and by these schools they wield a strong influence. If we remain inactive, we must lose our hold on the confidence of the people and be set down as inefficient; besides, the sooner we can commit the denomination to some benevolent enterprise the better for them and the rising generation. They will do the more for other work strictly of an evangelical character. Again, I strongly think we must look to our churches for our rising ministry on the Pacific borders before twenty years roll around. The great question with me is, Ought the ministers now in the field and almost worn out to give any considerable portion of their time to the cause of education, while so much of our field lies waste for the want of faithful, Godly ministers given wholly to preaching the Word?

Br. Chandler baptized two converts into the French Prairie church Sabbath before last.

Affectionately yours,

EZRA FISHER.

Received April 9.

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Oregon City, O. Ter., April 1st, 1855.

To Rev. Benjamin M. Hill,

Cor. Sec. Am. Bap. Home Mission Soc.

Dear Brother:

Herein I send you my report of labor under the appointment of the Home Mission Society as General Itinerant for the 4th quarter ending March 31st, 1855. I have labored 13 weeks in this quarter; preached 15 sermons; attended 10 prayer meetings and four church meetings; visited religiously 45 families and other persons; visited one common school; traveled to and from my appointments 307 miles. Two were received into the French Prairie church by baptism under the labors of Rev. George C. Chandler. Sabbath schools in the territory are the same as last quarter. During the quarter I have distributed about 2500 pages of tracts. Several



of our churches and congregations are beginning to study the Bible by subjects and meet monthly to give their views of the duties enjoined, such as the obligations of the Sabbath, the duties of religious parents, etc. The churches generally are training their young members as well as could be expected where but monthly Sabbaths are enjoyed. However, many of the members visit from church to church, so that perhaps they attend the Baptist meetings two Sabbaths in a month. The remaining time they either attend other meetings or stay at home.

Respectfully submitted,

EZRA FISHER.

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Oregon City, O. Ter., April 1, 1855.

To Rev. Benjamin M. Hill,

Cor. Sec. Am. Bap. Home Mission Soc.

Herein I send you my report of labor under the appointment of the Home Mission Society as Exploring Agent for the 4th quarter ending March 31st, 1855. I have visited during the quarter Corvallis, Albany, Oregon City, Corvallis church, French Prairie church, a settlement of Baptist brethren five miles east of Albany, Lynn Co., who will soon be constituted into a church; a settlement of Baptists on the Molalla prairie, where are encouraging prospects; Clackamas church and Pleasant Butte church; traveled 307 miles to and from my appointments. I have labored 13 weeks during the quarter; preached 15 sermons; paid for traveling expenses \$2, for postage 37½ cents.

N. B.—The traveling has been unusually bad this winter and my health, for three or four weeks of the first part of the quarter, was not so good as usual in the winter. This may account for the unusually small amount of labor I have performed. I have labored under the influence of bronchitis and dyspepsia. I have adopted a rigid system of diet and hope to be able to perform my wonted labors the coming season.

Respectfully submitted,

EZRA FISHER,

Exploring Agent.

Oregon City, Mar. 10th, 1855.

Rev. Benjamin M. Hill.

Dear Brother:

The church in Oregon City have invited Br. Johnson and Br. J. D. Post to supply them the coming year and agreed to give Br. Johnson \$50 and Br. Post \$75. Perhaps this is the best they could do on the whole. But it falls far short of meeting our wants. Br. Post's time is engrossed in his school and the most he can do is to preach half the Sabbaths, attend the weekly prayer meetings and perhaps visit a little Saturdays in the afternoons. Br. Johnson will preach half the Sabbaths, but does not contemplate visiting at all. You will see by this that the church must be greatly neglected in the pastoral relations. I hoped the church would have chosen some man as their pastor and asked the Home Missionary Society to help in his support, so that he could give himself to the ministry, or have asked your Board to send them a minister and let him enter upon the work as a man of God. Perhaps all is for the best. I do not yet see it so.

I noticed in the January number of the Home Mission Record a notice of my reappointment. I shall endeavor to serve the Board to my best ability through the summer and fall at least, if my health will permit and God blesses. I have received no letter from you for near three months. Suppose one was lost on the Southerner<sup>364</sup> when wrecked. I expect to spend most of the coming season with the churches in the upper part of the valley and in Umpqua and Rogue River valleys and, when in Rogue River Valley, I may cross the Ciscue [Siskiyou] Mountains into Chasty [Shasta] Valley, as it will be but about 25 miles from Rogue River Valley and 125 from the settlement in the Sacramento Valley. A large town called Yreka has sprung up in that valley, in which it is said there are numbers of Baptist members who have had but few Baptist sermons preached to them. Yreka<sup>365</sup> is

<sup>364</sup> The steamship "Southerner," Capt. F. A. Sampson, was wrecked on the Washington coast at Cape Flattery, Dec. 26, 1854.—*Oregonian*, Jan. 27, 1855.

<sup>365</sup> Yreka sprang up as a result of the mining in Shasta County, California, which began in 1850. Important diggings opened in March, 1851, gave rise to the town, which was incorporated in 1854. It declined with the mines after 1857.—*Bancroft, Hist. of Calif.*, VI:494.

said to be as large as Portland. Should I visit Chasty Valley, or will our California brother penetrate the mountains from the south and explore this mining district?

With sentiments of Christian esteem,

EZRA FISHER.

Received April 24.

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Oregon City, O. Territory, May 3d, 1855.

Rev. Benjamin M. Hill,

Cor. Sec. Am. Bapt. Home Mission Soc.

Dear Brother:

Yours of March 3d has just come to hand and I now sit down to answer it. It is with mingled emotions that I learn that your Board have reappointed me to the work of exploring agent and general itinerant. I shall endeavor in the fear of God to enter upon those duties to the best of my abilities, but in view of the gradual decline of my physical, not to say mental powers, I am led to hope that your Board will be looking out for a man of ripe Christian experience and strong physical constitution to enter upon the responsibilities of this work after the present year. I feel that I have a right to ask for a more limited field which will call for less exposure in winter rains and the inconveniences of a frontier life. Yet I often feel that I would prefer the ways of Providence to those of my own choosings. I wish it to be distinctly understood by the Board that my personal inclinations have for a long time been to locate so that I could reach the extent of my field of labor by a day's ride. Should you find a suitable man to enter upon this work at an earlier period than the expiration of the present year, I will rejoice to facilitate his introduction. It seems to me that the labor of such a man in Oregon should not be dispensed with. As it relates to the work of collecting for the Home Mission Society, you know that I am willing to do all that I can in the furtherance of that object. It is likewise true that your Society ought to have found more pecuniary aid flowing into your

treasury from Oregon. Yet our servants and their fellow laborers have been laboring as fast as they thought the churches would bear to bring about this object in as healthy and as permanent a manner as possible. We have to meet all the influence of monthly Sabbaths and Missouri opinions, and an educated anti-mission influence in our missionary churches. These prejudices are so far worn away I believe in all our churches that they, as churches, recognize the principle that our ministry should be given to the work and that they should be sustained somehow or other in that work. At our last association we made a direct effort to sustain one man in Lane County, which was an important missionary field. I should at that time have pleaded the cause of the Home Mission Society and asked that these efforts might in some way or other have gone through that channel, but for the fact that your Board was at the time sustaining no man but myself in Oregon. The right kind of work was doing to accomplish the work and open the sympathies of our brethren. The churches as a whole are coming up to the work, although much slower than is desired by every liberal-souled disciple of Christ. It is hard teaching our brethren the lesson of being dead to the world and alive to God. Yet four churches, two of which were as little hopeful as any in the Association, have absolutely paid their minister (Br. Riley) not less than \$1000 the last year by buying him a claim and providing him with clothing and food for his family. Four more are paying Br. Chandler the present year nearly \$600. And I do not know of a church, small as our churches are, which pays their minister less than \$100 for one-fourth of the time, while they scarcely get the labors of the minister more than two days in a month, except in the riding to and from the appointments, which may take two days more. Thus you will perceive that your missionaries have not been indifferent to the true interests of Christ's church, although we have not been able to do so much as we would, nor to direct what is done through the channel which might be



desired. I rejoice in the love of our divine Master that you have appointed two more missionaries for Oregon and that they are in their field of labor. The way is now open for me to work directly for you without putting on the air of supreme selfishness and, although we are feeling the effects of what the world calls hard times, I intend to try and do what I can for Br. Boyakin at Portland and Br. Stearns<sup>366</sup> at Jacksonville by personal appeals to private brethren, as well as by collection in the churches, if I can get the subject before the churches, and I doubt not I can. But the amount that can be done this year cannot be expected to be large. I have no fears of injuring my ministerial character in this work if God goes with me. My greatest fear is that I may not do the work as well as some other man might. We feel that we must make an effort to sustain two ministers by the Association strictly as missionaries in destitute fields; in this all our brethren will probably unite. We have the men on the ground whom we may probably employ, our brethren see them and know them, and have an assurance that something will be done for them in Oregon when they pay their money. I have felt, in view of all the circumstances, that we should aid in this kind of work, and, although we cannot do the work in the way we would desire, we shall do much of the work which we should do if all prejudices were removed and we were doing the work precisely as you would have us do it. We have with us an old brother, Thomas Taylor, formerly from Illinois (I think he formerly was in the service of the Home Mission Society in Ill.), who has a destitute field, embracing a part of Clackamas County and a part of Yam Hill County, in which there are a number of Baptist members scattered. The field locally is important, but the country is mostly timbered, consequently slow of improvement comparatively. One of the points I reported last winter, near the mouth of the Sandy on the Columbia River. A year's labor would probably

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<sup>366</sup> This was probably Rev. M. N. Stearns, who had arrived that year from the East with his father, Rev. John Stearns, and was chosen pastor of the Table Rock (Jacksonville) Baptist Church.—*Mattoon, Bap. An. of Ore.*, I:13.

result in the formation of from one to four churches. Br. Taylor's family consists of himself and wife. He says he can labor a year for \$300 and will run the risk of raising half that sum on the field. Br. Chandler proposes to pay \$25 of the balance. Br. Chandler is very desirous that he should be put into that field. Now will your Board make him the appointment under such conditions as you may think proper and require him to report to you and allow me to see what I can raise on the field for him, yet so as not to interfere with any efforts I may make for Br. Boyakin and Br. Stearns? Will you leave Br. Taylor to consult with Br. Chandler and myself respecting the field? The country we propose is as densely peopled and as destitute as any part of Oregon and the most remote point not more than 24 miles from Oregon City.

As ever your fellow-laborer in the vineyard of our common Master,

EZRA FISHER,  
Exploring Agent.

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Oregon City, O. Ter., May 4th, 1855.

Rev. B. M. Hill,

Cor. Sec. A. B. M. Soc.

Dear Brother:

I some weeks since wrote you an explanation of the reason why I drew on you an order payable to George Abernathy & Co. to the amount of \$300. I have all the while supposed from the course that you had allowed me to pursue that you would grant me some privileges, on account of my distance and the length of time it took for me to get your drafts after requesting you to forward them. My pay has mostly come in goods and exchange of money collected here. You know I have always waited as much as I could to suit the convenience of the Society, and I trust I have not show an unusual spirit of avarice in this matter. But it would be exceedingly mortifying to me as a prompt Christian minister in all my business relations to have my order protested and

come back to Oregon so. I have never in my public life owed a man over \$200 at any given time, and never but once failed of meeting my pecuniary liabilities punctually at the time. Now if I have sinned in drawing this draft, I have sinned as I have done before, unadmonished. I sincerely regret to occasion you or the Board any trouble on that account or in any measure to occasion Abernathy to doubt my integrity. If your Board should protest the order, will they do me the favor to issue a draft in favor of me to that amount and pass it over to Abernathy & Co. and pay it immediately, as I have received the money and been obliged to pay out a part of it already to keep up my family. The remaining part is passing away in the same way. Will you do me the favor hereafter to settle my accounts at the end of each quarter, on the receipt of my quarterly report, and within three weeks from that time forward me a draft covering the amount due me at the time and let this be a standing order except when otherwise directed.

Rest assured, dear brother, that I do not make this request through any unkind feelings. . .

As ever yours,

EZRA FISHER,  
Exploring Agent.

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Received June 8.

Oregon City, O. Ter., July 1st, 1855.

To Rev. Benjamin M. Hill,

Cor. Sec. of Am. Bap. Home Mission Soc.:

Herein I send you my report of labor under the appointment of the Home Mission Society for the first quarter of the year, ending June 30th, as General Itinerant.

I have labored 13 weeks in the quarter; preached 23 sermons; attended 12 prayer meetings, nine church covenant meetings; have assisted at the organization of the church in the city of Portland;<sup>367</sup> have traveled to and from my appoint-

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<sup>367</sup> This was organized by Revs. W. F. Boyakin, H. Johnson, and the author, May 6, 1855.—Mattoon, *Bap. An. of Ore.*, I:14. The author says there were eleven constituent members; Mattoon, ten.

ments 494 miles; have visited religiously 30 families and 22 individuals. The church at Portland takes her place beside older ones of other denominations under favorable prospects, as you will learn from the reports of Br. Boyakin.

Respectfully submitted,

EZRA FISHER,  
General Itinerant.

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Oregon City, O. Ter., July 1st, 1855.

To Rev. Benjamin M. Hill,

Cor. Sec. of Am. Bap. Home Mission Soc.:

Herein I send you my report of labor under the appointment of the Home Mission Society as Exploring Agent for the first quarter ending June 30th, 1855. I have visited Portland, Santiam, Providence,<sup>368</sup> Pleasant Butte, Lebanon, West Tualatin, West Union and Yam Hill churches, the Willamette Baptist Association and Ministers' meeting.

Have collected \$24.48 by collection taken on Sabbath at the Association. Have obtained a subscription in Tualatin Plains of forty bushels of wheat to be paid to Br. Boyakin in Portland on or before the first day in Oct., to apply on his salary. Br. Boyakin will report the value to you as soon as received. It will probably be worth from \$0.75 to \$1.00 per bushel. Paid \$3.92 for traveling expenses and \$0.25 for postage—\$4.17. Have aided in the constitution of the first Baptist church in Portland with eleven members. Have preached 23 sermons and traveled to and from my appointments 494 miles.

All which is respectfully submitted,

EZRA FISHER,  
Exploring Agent.

Received Aug. 11.

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<sup>368</sup> The Providence Baptist Church in Linn County, at the forks of the Santiam River, was organized April 9, 1853.—Mattoon, *Bap. An. of Ore.*, 1:12. The other churches mentioned have previously been commented upon.



Oregon City, O. Ter., July 2, 1855.

Rev. Benjamin M. Hill,

Cor. Sec. A. B. H. M. Soc.

Dear Brother:

I have just returned from the annual meeting of the Willamette Baptist Association, which was held with the Yam Hill church, ten miles west of Lafayette, the seat of justice for Yam Hill County. As a business meeting, it exceeded in interest and harmony all preceding meetings. The churches appear to be gradually arousing to the importance of the ministry becoming devoted to the one great calling, the ministry of reconciliation, and that they should be sustained in that work by the churches. Three brethren now in the field have the assurance that their salary from the churches the present year will exceed \$600 each, and other churches are expressing a willingness to contribute according to their ability. The Association resolved that they would make an effort to sustain two missionaries the coming year, one in Lane County and vicinity and the other in Clackamas County and vicinity, and something over \$200 was subscribed on the spot. Resolutions were passed in favor of the great Christian enterprises, such as the Baptist Home Mission Society, Publication Society, etc. The changes in the Association were as follows: Six new churches received into the body.<sup>369</sup> One hundred and twenty-three baptized; net gain, 232. Some efforts were made to remove the school from Oregon City, which resulted in a resolution to open subscriptions for a college in favor of five places, towit: Oregon City, Corvallis, Santiam, Cincinnati<sup>370</sup> and Lafayette, and report next year. The Home Missionary Society is gradually securing the confidence of the denomination, but while this is said, other home mission societies are represented in Oregon, and we cannot predict the results. Elder Johnson is acting as a missionary of the Free Mission

<sup>369</sup> These six were the Union (Polk County), Good Hope (Linn County), Mount Zion (Lane County), Willamette Forks (Lane County), Palestine (Lane County), and First Portland Churches.—*Minutes of Willamette Baptist Association and Mattoon, Bap. An. of Ore.*, 1:16, 17.

<sup>370</sup> Cincinnati is the present Eola in Polk County.

Society, but prudently, and at this session of our Association we met an agent for the Bible Union soliciting life memberships and offering for sale a portion of the Scriptures as translated by the Union, also introducing their periodicals. I have no objection to the Union's translating the Scriptures and selling them to whoever may wish to purchase. But we in Oregon must be wiser than our brethren at home, if the introduction of an agent to our little Baptist community, gathered from the ends of the earth, does not strike some discordant notes in our infant land. The Lord give us wisdom and prudence equal to our day, and save us from sinning in this matter.

As ever yours,

Received Aug. 11.

EZRA FISHER.

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Oregon City, O. Ter., July 3, 1855.

Rev. Benjamin M. Hill,

Cor. Sec. of Am. Bap. M. M. Soc.

Dear Brother:

I made my last quarters report on the first instant. In this letter I wish to order you to attend to several branches of business for me. By this mail I shall order the discontinuance of the Christian Chronicle and substitute the New York Recorder and Baptist Register in its place. I shall also order the weekly Tribune, if it is furnished to ministers at \$1 per year. You will therefore meet the orders which I send you for the payment on the above-named papers. You will also pay an order which I shall send you for the Baptist Missionary Magazine. I shall also order you to pay three dollars to the agent for the Mothers' Journal.

You will, therefore, please send me a draft for the sum due me, after deducting twenty-four dollars and forty-eight cents (\$24.48), the amount of the collection taken up at the Willamette Association, and ten dollars (\$10) to meet the periodical demands against me, at your earliest convenience. Should the periodical bills exceed ten dollars, the publishers

must wait till after I make my next quarter's report, as I am much in want of funds to meet my forthcoming expenses. Let the draft be drawn to me or order.

Respectfully yours,

EZRA FISHER.

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Oregon City, July 3d, 1855.

Rev. B. M. Hill, Cor. Sec. Soc.

Dear Brother:

Our school affairs are moving along but slowly. Our community is so fluctuating, being subject to so many excitements and so many fluctuations, and so extreme, that it is next to impossible to keep any class of scholars above a few months, except a few from the more able permanent citizens. We have been suffering the last twelve months all the inconveniences of stagnation in business.<sup>371</sup> Farmers have wheat and beef and pork and butter in profusion, but it is hard to convert their produce into cash or family supplies. Now another panic has struck the farmers. New and rich gold diggings are beginning to be worked high up the Columbia near Fort Colville.<sup>372</sup> This is drawing away the floating laborers, and some of the farmers are leaving their standing wheat for the mines. It has not yet been ascertained how extensive the gold field is on the Columbia, or how productive it will prove, yet notwithstanding the high waters, inexperienced miners, Frenchmen and half-breeds are said to wash from fifteen to twenty dollars per day with nothing but pans. About \$5000 worth of the gold has already reached this place and is pronounced to be gold of the finest quality. With these and other and varied exciting causes moving upon the minds of a heterogenous community thrown together from every part of the globe, it is no strange thing that teachers

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<sup>371</sup> These hard times are assigned by Bancroft to Indian disturbances, and to the falling off in the yield of the California mines. Business was prostrated in California.—*Hist. of Ore.*, II:337.

<sup>372</sup> This gold discovery was in the spring of 1855 and caused, as the author indicates, the usual stampede to the diggings.—Bancroft, *Hist. of Wash., Idaho and Mont.*, p. 108.

become discouraged and efforts to cultivate the minds and morals of the rising generation should prove less successful than in older and better graduated communities. Although our school has failed of exerting that direct and salutary influence on the denomination which was anticipated, yet it has done much to elevate the views of the Baptists in Oregon and has shed its blessings, both direct and indirect, upon hundreds of our fellow citizens. I fear, however, that we shall be compelled to make another change of teachers, however much such a change is to be dreaded. Br. Post has already manifested discontent and I fear that it may before long ripen into a removal. I do not know that it is possible to find a thorough, self-sacrificing teacher who will merge all the interests of the school into the interest of the denomination so as to worthily claim the name of a missionary school teacher. Yet that should be the case with our teachers as well as with our home missionaries.

Br. Boyakin is doing well at Portland, is popular with his church and the world. I have but little doubt that the Masonic fraternity<sup>373</sup> sympathize with him and lend him their aid as a brother of the same order. I hope he will not overrate the privileges of that order. He is energetic and eloquent and abounds in figures and epithets. May God bless him abundantly. I expect to go south in three or four weeks. Shall be able to take up some collections for the Home Mission Society. Deacon Failing has engaged to take up a collection monthly in the Portland church for the Home Mission cause. Br. Boyakin will probably report the amount quarterly.

Yours with Christian esteem,

EZRA FISHER.

Received Aug. 11.

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<sup>373</sup> The first Masonic lodge in Oregon was organized at Oregon City in 1848 under a charter granted by Missouri, Oct. 19, 1846. By 1855 and 1856 lodges had become quite numerous.—George H. Himes.



Oregon City, Aug. 2d, 1855.

Rev. Benjamin M. Hill,

Cor. Sec. Am. Bap. Home Mission Society.

Dear Brother :

Yours of May 25th was duly received. With this I shall send you the minutes of our Association. The new gold excitement in our territory at the present time calls for a communication from me. The gold region is on the large north fork of the Columbia River, about thirty miles above Fort Colville. It has now become quite certain that the mines are rich and they are supposed to be extensive. But nothing definite can be relied upon except that most of the French in the Willamette Valley have either been and returned and gone the second time or are preparing to go. Already about 1000 of the American population of the Willamette Valley are on their way to these new mines. Many more are preparing to go; others are anxiously awaiting the first reliable information. The most extravagant rumors are in circulation respecting the richness of the mines and the facilities of acquiring the golden treasures. It is pretty satisfactorily ascertained that the Roman priest at Colville has known of these mines for years and has enjoined secrecy upon the Indians. Rumors reliable say the chiefs forbid the Oregonians, except French and half-breeds, to dig till they have treated with the Indian agent for their lands. Money is extremely scarce in this valley and, if there is much gold to be had, our citizens will have their proportion of it, even at the price of blood. They will not stand by, by the thousands, and see French Catholics, half-breeds and Indians monopolize the best of the diggings. Some reports say that the gold has been found on only two small bars of the river; others say that the region of gold is 300 miles in extent. I have been waiting for the last two weeks to get at facts before writing you, but this is safe at the present. Nearly all the lands between the Cascade Mountains and these mines, on both sides of the Columbia

River,<sup>374</sup> have been purchased of the Indians and now open one of the most inviting regions to the emigrant for settlement in North America. The Dalles must immediately become a point of importance and, should the mines prove rich and extensive, a point at The Dalles will become a second Sacramento and another at the Cascades, 45 miles below, will scarcely be less in importance. We should have a man at The Dalles at this moment, awake to all the interests of religion and humanity in that region. Trade is springing up at that point with great rapidity. The Methodist Church will undoubtedly have a man there in a few months. The Congregationalists are looking on with interest and have sent their man to survey that field. I shall visit that place as soon as I learn more definitely the state of things in relation to the mines. Will you have a man for The Dalles and Cascades as soon as possible? It will cost as much to sustain a man in that field as it does at Portland.

I am strongly inclined to the opinion that I shall settle as near the centre of middle Oregon as circumstances will justify, perhaps on the waters of the Walla Walla, at the close of this year, as a self-supporting missionary, to finish my days where I can be with my family and a little more exempt from responsibilities than in my present agency. But I leave that in the hands of the All Wise Being to direct. My friends here decidedly approve of my plans. Very little can be done in the agency by way of collecting funds this summer or next, should the gold excitement prevail. Most of our men will go to the mines and we must preach to women and children and runners to and fro. If ever missionaries needed an unction from on high, ministers and churches in Oregon at this time are that people. O Lord, give grace to thy servants to make an entire consecration to Thee!

Last Sabbath I assisted in organizing a church of eleven members, fifteen miles northeast from this place, between

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<sup>374</sup> This purchase was by the treaties with the Nez Perces, Cayuses, Walla Wallas, Umatillas, and Yakimas, in June, 1855, and with the John Day, Des Chutes and Wascopans, about the same time.—Bancroft, *Hist. of Ore.*, II:360-8.

Clackamas and Sandy Rivers. Next week I leave for the upper part of this valley. Our churches generally are passing through trials and declensions, such as are too common after revivals, where monthly preaching and monthly meetings take the place of weekly Sabbaths and faithful pastoral labors through the week. We are everywhere attempting to impress the churches with a sense of the importance of regular Sabbath preaching and constant pastoral labors, and not without success. Yet changes in this respect are slow, but will come in a few more years. I made my last quarterly report on the first of July and ordered you to pay for me ten dollars on periodicals. Also ordered you to forward me a draft for what will be my due, after paying those little periodical accounts. I rejoice at the prospect of harmony being restored to the churches on the Home Mission question. God grant that the Bible question may soon be put to rest. Our Bible Union brethren will have the Bible translated into the English language. I hope they will do the work faithfully and leave the American and Foreign Bible Society to prosecute her appropriate work unmolested and that the Peace which Christ left with the disciples may find a home in every church and every heart.

Respectfully yours,

EZRA FISHER.

Received Sept. 11.

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Oregon City, O. Ter., Sept. 1st, 1855.

To Rev. Benjamin M. Hill,

Cor. Sec. of Am. Bap. Home Mission Soc.:

Herein I send you my report of labor under the appointment of the Home Mission Society as General Itinerant for the second quarter ending Sept. 30th, 1855.

I have labored 13 weeks; preached 21 sermons; attended five prayer meetings and six church covenant meetings; two yearly meetings of the churches; visited religiously 34 families and 26 individuals; have assisted in the organization of

the Cedar Creek church, Clackamas County; have traveled to and from my appointments 818 miles. Four persons have been received into the La Creole church by baptism after a sermon I preached on the subject of communion at the request of the pastor, Br. Riley. Monthly concert and weekly prayer meeting are observed in the Oregon City church. Connected with the churches which I have visited are small Sabbath schools in the Oregon City, Pleasant Butte and Santiam churches.

Respectfully submitted,  
EZRA FISHER.

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Oregon City, O. Ter., Sept. 1st, 1855.

To Rev. Benjamin M. Hill,  
Cor. Sec. Am. Bap. Home Mission Soc.:

Herein I send my report of labor under the appointment of the Home Mission Society as Exploring Agent for the second quarter ending Sept. 30th, 1855.

I have visited Oregon City, Corvallis, Cascades and The Dalles, Oregon City, Cedar Creek, Luckiamute,<sup>375</sup> Lebanon, Pleasant Butte, Santiam and Providence churches; traveled to and from my appointments 818 miles; labored 13 weeks. Have taken up the following collection:

In the Luckiamute church, \$2.00.....	\$ 2.00
In the Pleasant Butte church, \$6.58.....	6.58
In the Santiam church, \$5.80.....	5.80
In Oregon City church, \$6.12.....	6.12

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Total.....\$20.50

Paid for traveling expenses.....\$16.45

For postage ..... .20

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Total.....\$16.65

which you will charge to my account.

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<sup>375</sup> The Luckiamute Church was organized April 1, 1854.—Mattoon, *Bap. An. of Ore.*, I:16. Luckiamute is about four miles south of Monmouth, in Polk County.



Preached 21 sermons; have attended the constitution of the church on Cedar Creek. . . .

Respectfully submitted,

EZRA FISHER.

N. B.—The extra traveling expenses are for a tour to The Dalles, which I shall make as soon as the yearly meetings are over this month. If I fail to go I shall deduct the amount in my next report.

Received Oct. 17.

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Oregon City, O. Ter., Oct. 3d, 1855.

Rev. Benjamin M. Hill,

Cor Sec. Am. Bap. Home Mission Soc.

Dear Brother:

Last Thursday I took the steamer for The Dalles and arrived at The Cascades about eight in the evening. Found The Cascades in a high state of excitement through fear of a nightly attack of the Yaccima [Yakima] and Klickitat [Klickitat] Indians, which was daily expected.<sup>376</sup> About 500 of their warriors were reported to be encamped in a plain about 35 or 40 miles northeast of The Cascades, who are said to aim at the destruction of the whites at The Cascades and thus cut off communication between the Willamette Valley and the upper country (or middle Oregon). Some 15 whites are reported as already murdered by these tribes, chiefly miners; one Indian agent is included in the number. Yet Indian rumors are uncertain. Suffice it to say that I found The Cascades mostly deserted by the women and children. The men had organized themselves into a military company for self defense. The family residing on the north side of the river midway between The Cascades and The Dalles had moved to The Dalles for safety. Thirty soldiers had been sent down from The Dalles to guard the house and out-

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<sup>376</sup> This was the beginning of the Indian War of 1855-6, which arose partly over dissatisfaction with the treaties of 1855, and partly over the large influx of whites, and which involved Eastern Oregon and nearly all of the present Washington.—Bancroft, *Hist. of Wash., Ida. and Mont.*, pp. 108-170.

buildings. While I lay at The Cascades an express came down from The Dalles making a requisition for all the soldiers that could be spared at Vancouver to be sent immediately to The Cascades. With this state of excitement, I thought little could be expected from a visit to The Dalles, as this warlike appearance from the Indians will seriously retard the settlement of the whole upper country for a year or two at the least. Consequently I return without even spending a night on the land.

All the Pend d' Oreille miners have returned, except a few French and perhaps a very few whites. About 25 or 30 white families are settled in the vicinity of The Dalles, and ten or twelve more, besides some fifty or sixty French whites and half-breeds, are in the Walla Walla Valley in the vicinity of the Whitman Mission Station. Although we have some 80 or 100 regular troops at The Dalles, these scattered families will be in great danger, should the Indian war become general with the tribes above the Cascade Mountains. O, when will wars cease, and men everywhere submit to the glorious Prince of Peace! If I were a young man, I sometimes think I should delight to propagate the blessed gospel among these tribes and see if they could not be saved from the brutal lusts of outlawed whites and the Jesuital intrigues and superstition of the Roman priests. I have but little doubt that the same artful teachers are at work with those Indians that were accessory to the Whitman massacre. O, when shall that great City Babylon, in whom was found the blood of the prophets and of saints and of all that were slain upon the earth, be thrown down and found no more! Oh Lord, hasten it in Thy time.

I shall start tomorrow for a tour in the upper part of the valley and propose visiting some of the feeble churches in Lane County, if God permits. I have nothing more that is new to communicate at this time, but shall communicate on the subject of the school in this place in a few weeks. I fear Br. Post will set up an independent school about two miles

from this place in the opening of the spring.<sup>377</sup> But I cannot communicate with you officially on that subject till the committee visit him and report to the trustees.

Yours very affectionately,

EZRA FISHER.

N. B.—The school is now full. May God pour out His Holy Spirit upon it.

E. FISHER.

Received Nov. 14.

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Oregon City, O. Ter., Nov. 27th, 1855.

Rev. Benjamin M. Hill, D. D.,

Cor. Sec. Am. Bapt. Home Mission Society, New York.

Dear Brother:

Yours of Sept. 1st, containing draft No. 8650, \$376.24, was duly received. We here think that Br. Post has very little reason to complain respecting support. The school, according to his statement last spring, has been a paying concern ever since the first three weeks after he commenced teaching, and I am quite sure it has paid better since that time than it did before, if he succeeds as well in collecting as he did formerly.

Private. His course with us as a board has been rather singular. He has from time to time avowed his intention to open an independent school about two miles from town. Last May the Board of Trustees met to take into consideration the state of the school and invited him to meet with us. The first meeting he did not attend. A committee was appointed to wait on him and inquire into sundry reports which we thought unfavorable to the prosperity of the Oregon City College, such as the following: That he had changed the name of the school in his advertisements; had proposed to take females as scholars, which he has since done; had privately expressed his determination to open an independent

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<sup>377</sup> This school was opened and ran for a time just outside the present southern limits of Oregon City.

school, as stated above, without consulting with any of the Trustees on the subject, and that he had announced in a church meeting that he did not know who the Trustees were, except two or three, and he did not care. The committee waited on him and inquired after most of these reports. He made some apologies and explanations. He was told that an attempt to set up an independent school would be injurious to all parties and especially to himself; that the Board of Trustees could not cherish the scheme for a moment. He agreed to desist from that enterprise, if the Trustees would allow him to reside on his land and teach in our school building. He was told that we did not care particularly where he resided, provided he discharged the duties of a teacher faithfully. At that time he probably would have been dismissed but for Br. Chandler and myself. We felt that it was difficult to secure the labors of a competent teacher and that the Home Missionary Society had already sent us three teachers and we had little hope they would send us the fourth. We, therefore, smothered the bursting flame and hoped he would be more prudent in the future. But it is probable he will open an independent school as soon as next summer, unless he can again be persuaded to desist. As a teacher, with few exceptions, we have little occasion to find fault. Yet we have always felt that it would have been desirable that the school should have made a more decidedly religious impression on the public mind. In view of all the circumstances, we feel that it is safe to treat this matter kindly till we see some opening in providence for action.

As ever yours,

EZRA FISHER.

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Oregon City, Nov. 27th, 1855.

Rev. B. M. Hill, D. D.

Dear Brother:

Br. Boyakin will probably leave Portland at the close of the year. He has so signified in a communication to the



church in that place. I regret much that his stay must be so short. I believe his plea principally is the sickness of his family. No doubt the town is subject to intermittent and remittent fevers during the summer and autumn, but much less severe than in many of the towns on the Mississippi River. Should he not settle at Corvallis, he will probably leave Oregon. The brethren and citizens at Corvallis appear quite solicitous that he should settle with them and they think they can raise \$500 towards his salary for the first year. They have invited him and requested me to exert my influence to induce him to go to that place. I shall not encourage a separation at Portland, but, should he conclude to go to Corvallis, he will need about \$300, above the \$500 the citizens propose raising him, to sustain his family. It is to be regretted that the ministers should return to the States after they have incurred all the expense and privations of removing overland to Oregon. May the Good Lord direct him and the little feeble band at Portland to His name's praise! Portland must have a minister if practicable.

Yours affectionately,

EZRA FISHER.

N. B.—At the strong solicitude of the Santiam church, I have consented to take the pastoral charge of that feeble, afflicted band at the expiration of the current year. Elder Richmond Cheadle, an influential member of the church, has avowed his disfellowship with that church. He will probably join the Presbyterian Church, and with him several more may go. It is thought advisable by all with whom I have consulted that I should accept their invitation and, as they propose to move my family immediately and the place will be more central for my winter's labors than this, I have consented to move in a few days. I shall hereafter address you at Washington Butte Post-office, Linn County, O. T. You will still address me at this place and the letters will be promptly forwarded to me at Washington Butte. It is thought that my presence at the Santiam church may be instrumental

in arresting the sophistical arguments in favor of promiscuous communion, while I may be at home the coming winter. This situation was unsought and entirely unexpected on my part, and, after much prayer on the subject, I have concluded that it was one of Providence's calls. The church is very nearly in the center of the valley and removed far away from most of the talent in the ministry. Should the Board require it, I will make up the time I shall lose in moving, which will be but a few days, after the first of April.

Yours in gospel bonds,

EZRA FISHER.

Received Jan. 15, 1856.

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Oregon City, O. Ter., Nov. 28th, 1855.

To Rev. Benjamin M. Hill, D. D.,

Cor. Sec. of Am. Bap. Home Mission Soc.:

Herein I send you my report of labor under the appointment of the Home Mission Society as General Itinerant for the third quarter ending Dec. 31st, 1855. I have labored 13 weeks in the quarter; preacher 27 sermons; attended 11 prayer meetings; one yearly meeting; six church covenant meetings; visited religiously 42 families and 31 individuals; traveled to and from my appointments 660 miles.

Respectfully submitted,

EZRA FISHER,

General Itinerant.

P. S.—The results of the yearly meeting with the Providence church in the forks of the Santiam and a subsequent meeting held in the vicinity is about 70 hopeful conversions and about 40 baptized. A new church constituted; also a protracted meeting held on the south fork of Santiam; some eight or ten baptized and a church constituted. For the last five months the French Prairie church have been somewhat revived and have had additions almost every month amounting to six or eight, and the interest still continues. This is in Br. Chandler's field of labor.

Yours,

EZRA FISHER.

Oregon City, O. Ter., Nov. 28th, 1855.

To Rev. Benjamin M. Hill, D. D.,

Cor. Sec. of Am. Home Mission Soc.:

Herein I send you my report of labor under the appointment of the Home Mission Society as Exploring Agent for the third quarter ending Dec. 31st, 1855.

I have visited Corvallis twice, Albany, Salem and Oregon City, Corvallis, Oregon City, French Prairie, Shilo, Santiam, Willamette Forks, and Palestine churches. Have labored 13 weeks during the quarter; traveled to and from my appointments 660 miles; have paid for traveling expenses \$3.00; postage, 30 cents; total \$3.30.

N. B.—Last quarter I was detained from going to The Dalles, consequently my traveling expenses were four dollars overcharged. You will therefore deduct four dollars from that quarter's traveling expenses, which will then read \$9.25, instead of \$13.25.

Respectfully submitted,

EZRA FISHER,

Exploring Agent.

Received Jan. 15, 1856.

Oregon City, Oregon Ter., Nov. 29th, 1855.

Rev. Benjamin M. Hill,

Cor. Sec. Am. Bapt. Home Mission Society.

Dear Brother:

To accommodate Brother George C. Chandler, I have received of him thirty-two dollars and fifty cents (\$32.50) to be paid to Edward H. Fletcher, 141 Nassau St., New York.

\$32.50

Mothers' Journal, 118 Arch St., Philadelphia..... 5.00

Missionary Magazine, 33 Somerset St., Boston..... 3.00

Total .....\$40.50

Also Mothers' Journal for Mrs. Lucy Jane G.

Latourette ..... 1.00

Total .....\$41.50

I shall order you to pay the above in a few weeks. Deduct \$41.50 from the amount due me on the receipt of the report accompanying this and forward me a draft to cover the balance, which will then be my due, at your earliest convenience.

EZRA FISHER.

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Soda Springs, Linn Co., O. Ter., Jan. 1st, 1856.

Rev. Benjamin M. Hill,

Cor. Sec. Am. Bap. Home Mission Soc.,

Baptist Mission Rooms, N. York City.

Pay the agent for the Mothers' Journal, 118 Arch Street, Philadelphia, five dollars and charge the same to my account.

EZRA FISHER.

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Soda Springs, Linn Co., O. Ter., Jan. 1st, 1856.

Rev. Benjamin M. Hill,

Sec. Am. Bap. Home Mission Soc.,

Baptist Mission Rooms, New York City.

Pay the agent of the Baptist Missionary Magazine, No. 33 Somerset Street, Boston, Mass., three dollars and charge the same to my account.

EZRA FISHER.

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Washington Butte, Linn Co., Co., Oregon, Mar. 31, 1857.

Rev. Benjamin M. Hill,

Cor. Sec. Am. Bap. Home Mission Soc.

Dear Brother Hill:

I now take up my long neglected pen to give you a brief outline of the cause of Christ in Oregon at present; and I may say at once that we are all famishing under the influence of a spiritual dearth. The results of the revivals in '55 and '56 are being witnessed to an alarming degree. In some churches, most of the converts continue to maintain a form of godliness; in others, more than half the number of those who united with the church are now walking in the broad road of sin, I fear, to ruin; and there are churches



in which the wayside hearers and professors hold a still greater proportion. Do you ask the cause of this declension? I conceive it is not one but legion. Monthly Sabbaths, and in too many instances no Sabbaths, and visiting represent in a great degree all Bible reading, as well as almost all religious reading among the youths. Sabbath school and Bible classes may be sustained, but it is only the few of our youths belonging to religious families who can be induced to become habitual members. Our members are in each church scattered over large districts of country, with few conveniences for bringing their families together on the Lord's day. Those who would concentrate their influence cannot without a sacrifice larger than they can willingly make.

And then the pastoral relation in the churches, beyond that of preaching on Saturday and Sabbath once in a month to a given church, and occasionally visiting the most delinquent members, is merely nominal; we have but two Baptist ministers in Oregon who profess to give themselves to the work of the ministry, and one of them is talking of leaving for the States; the other is laboring at a salary of \$300, and that from the States, while clerks' hire is from \$600 to \$2200 per annum. Our families are supported as Paul supported himself while laboring for the Corinthian Church.

And then the question of slavery, as well as that of temperance, must needs be noted, both in and out of the church, as we approach the period of the adoption of a state constitution, and as we hear of the wrongs endured by the Kansas patriots on account of their love for the inalienable rights of man. A large portion of our members are from slave-holding states, and a larger portion are professedly opposed to slavery, "but all their sympathies are with the South." What a paradox!

And then, too, many of our revivals have singing as the instrument more than humiliation, prayer, the reading of the word of God and the preached word. With such a train of causes, what could we expect other than the sad results we

are now witnessing through our whole territory? Is it a wonder, under such influences, that our best ministers should talk sometimes of leaving the ministry, and betake themselves to teaching, as a means of procuring an honest livelihood? Ministers indeed seem willing to make great sacrifices for the cause of the blessed Redeemer, and will preach what they can under the circumstances. But they must become secularized. Their minds will not be fruitful in word and doctrine, and all the blighting influences of an ignorant, undisciplined, disorganized ministry and churches driven by every wind of doctrine must be the tendency in such a state of things.

Now what is to be done? Should we not have in Oregon at least two substantial, efficient ministers, fully sustained, who will approve themselves workmen not needing to be ashamed? Should not the Home Mission Society immediately give us such men, either by sending us the men, or appointing such as we have among us?

Should your Board appoint Brother Chandler to the Oregon City church, that church would do what they could to help sustain him. Portland church is virtually extinct for the want of a suitable man. I would suggest that the second man be appointed to locate himself discretionarily, but at some important point.

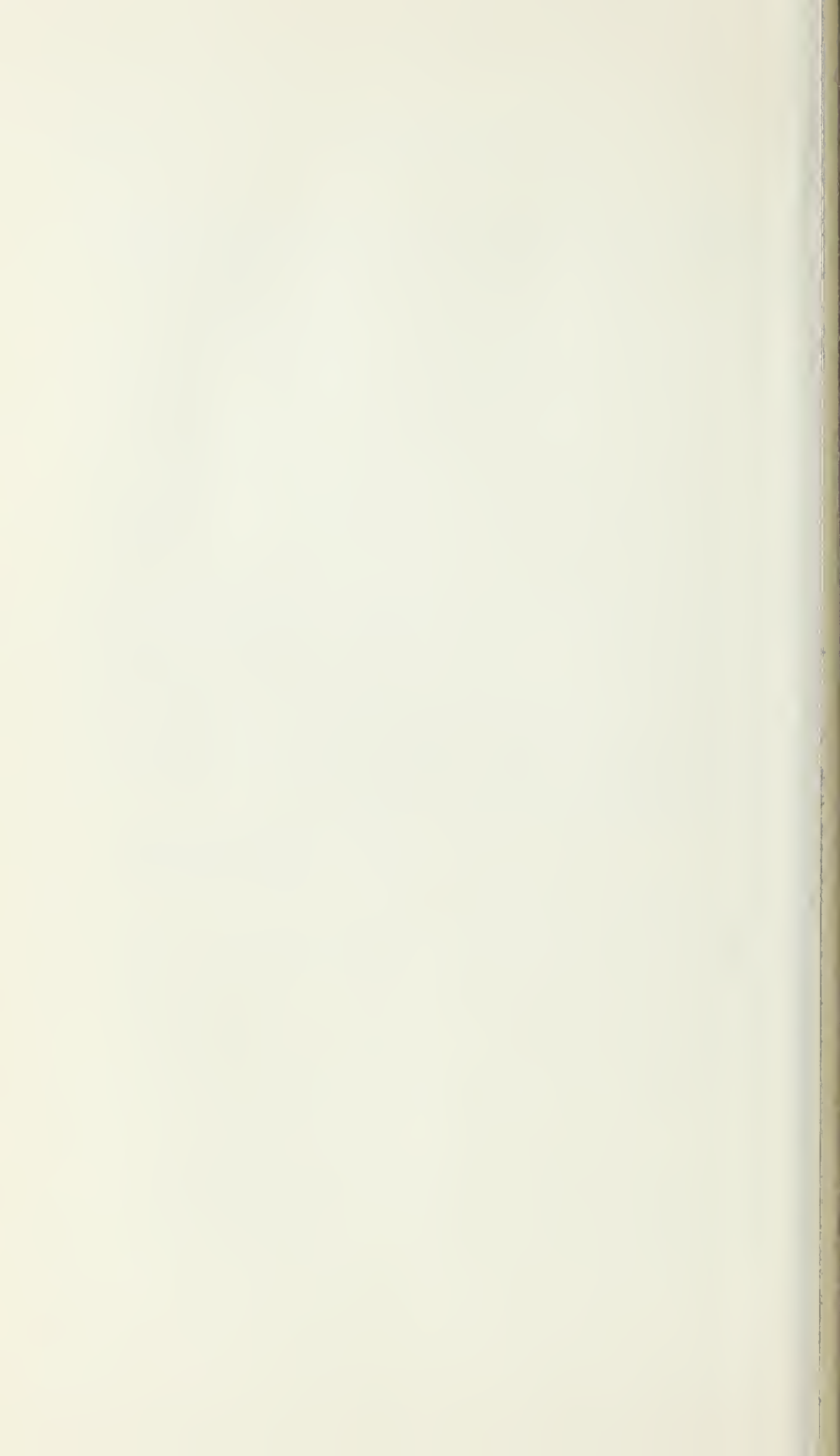
With the interest of the churches, our school at Oregon City has suffered. Br. Post has withdrawn from that school and set up an independent school less than two miles from the building erected by the Baptists and where he formerly taught. His course with us has not been in harmony with the interests of the Baptists. I think I speak the sentiment of the whole denomination, so far as he is known, when I say that his whole course has seemed to be governed by his views of his own interest in dollars and cents.

At present the school is taught by a son and daughter of Br. Hezekiah Johnson, your former missionary, and the school is doing as well as could be expected under the circumstances. But we need a teacher qualified to teach the higher branches

of mathematics and Latin and Greek, as well as the natural sciences. We all think such a man would be well sustained and patronized by the denomination and the citizens, if he will come to us willing to identify himself with the Baptist interests. A liberal-minded man need feel no embarrassments on this subject. The public mind in Oregon seems wonderfully impressed with the thought that they are to have no good schools in Oregon except such as are under the fostering care of some religious denomination; and to the evangelical churches they will look for good high schools till they learn effectually that the churches will not assume this responsibility. We might to-day have half a dozen flourishing high schools in Oregon, if we had the houses and teachers and necessary apparatus. The question is a grave one. Shall we as Baptists suffer these positions to slide over into the hands of the Methodists and Congregationalists? Or, what is worse, leave the rising generation in Oregon unprovided with even the means of acquiring a business education, and our churches uncared for in the great work of raising up a living ministry in our midst? Will you once more send us a man for Oregon City University? I write officially.

Yours truly,

EZRA FISHER.



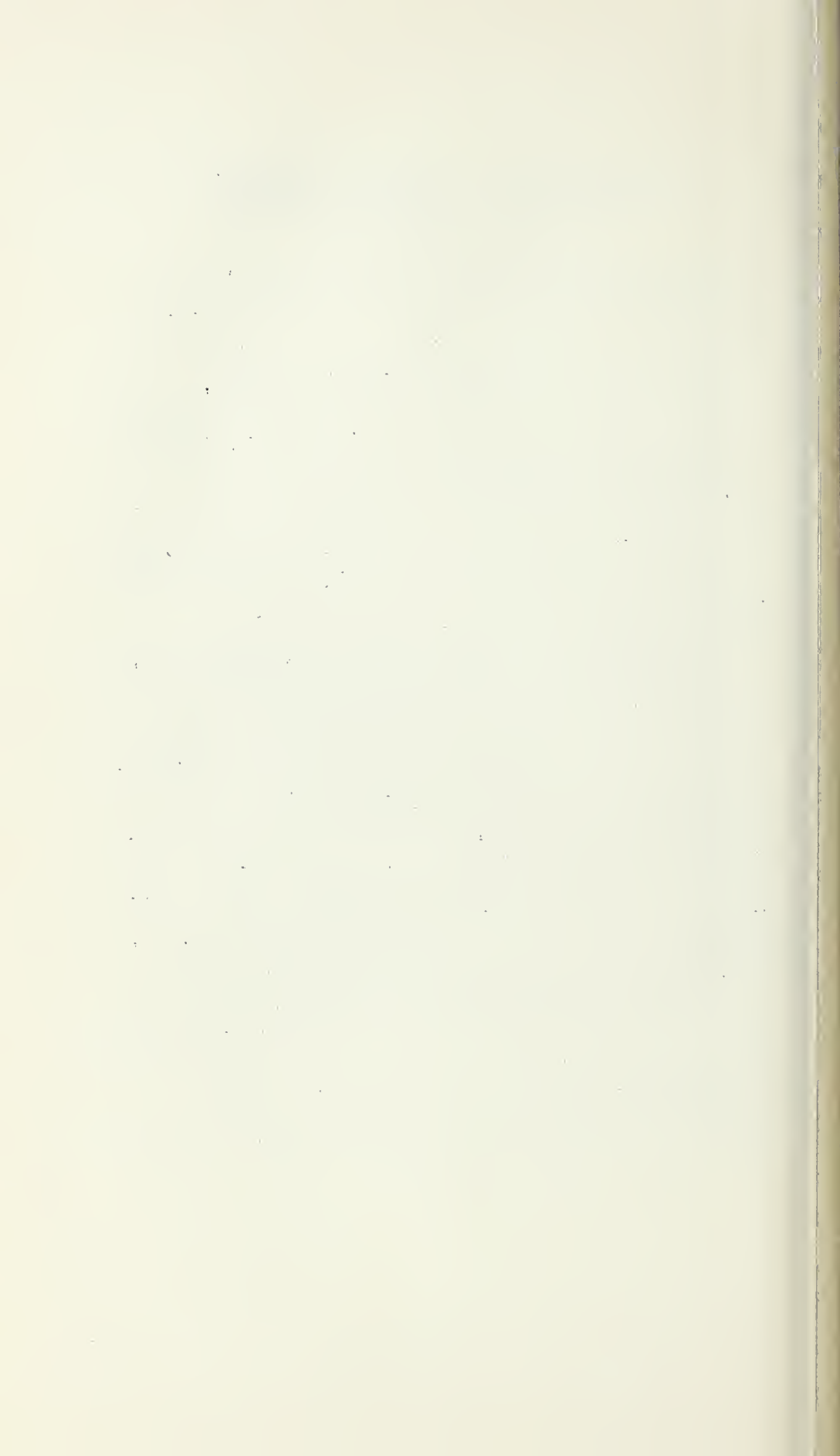


# DEATH LIST OF OREGON PIONEERS JANUARY 1—MARCH 31, 1919

Compiled by GEORGE H. HIMES.

- Balston, Noah F. Gregg, b. Or. 1852; d. Sheridan, Feb. 11, 1919.  
Barker, Mrs. Mary Ann Hobson, b. Mo., Nov. 22, 1843; 1847; d. Echo, March 24, 1919.  
Batscheller, John Wesley, b. — 1830; 1852; d. near Seattle, Wash., Feb. 28, 1919.  
Boise, Mrs. Emily Parmenter, b. Mass. 1827; 1859; d. Salem, March 26, 1919.  
Bush., D. W., b. — 1854; d. Portland, Jan. 12, 1919.  
\*Chance, William G., b. Ky., Jan. 18, 1849; 1852; d. Portland, Jan. 21, 1919.  
Cook, Robert A., b. Tenn. May 31, 1833; 1853; d. Gold Hill, Or., March 16, 1919.  
Davenport, John C., b. N. Y. 18—; 1851; d. Hoquiam, Wash., March 1, 1919.  
Driver, Samuel B., b. Ind. June 14, 1852; Or. 1853; d. Wamis, March 4, 1919; nephew of Rev. I. D. Driver.  
Egan, John T., b. Canada, 1852; Or. 1852; d. Albany, Jan. 11, 1919.  
Evans, Mrs. Amanda Jane, b. May 7, 1851; Or. 1852; d. Feb. 11, 1919.  
Foster, Mrs. Nancy Jane Hubbard, b. Ill. Feb. 6, 1847; Or. 1853; d. Portland, Jan. 19, 1919.  
Fuller, Mrs. Laura M., b. —; Or. 1852; d. Portland, March 28, 1919.  
Harpole, Peter, b. Ill. Feb. 5, 1841; Or. 1847; d. Junction City, Feb. 15, 1919.  
\*Hawn, Jasper C., b. Texas, Feb. 8, 1840; Or. 1843; d. Yamhill, Jan. 25, 1919.  
\*Hembree, James Thomas, b. Tenn. Sept. 13, 1826; Or. 1843; d. Portland, Jan. 12, 1919.  
Hughes, Mrs. Ella, b. Ohio, 1851; Or. 1858; d. Feb. 6, 1919.  
John, Sumeral A., Or. 1852; d. Portland, March 22, 1919.  
Kimball, Eldridge, b. N. H. 1831; Or. 1853; d. Mass. Jan. 12, 1919.  
\*Kelty, James Monroe, b. Ind. 1841; Or. 1852; d. Portland, March 27, 1919.  
\*La Rue, Mrs. Lydia W., b. Vt. 1834; Or. 1853; d. Portland, Feb. 8, 1919.  
Lewis, Frederick George, b. Or. 1847; d. Airlie, Feb. 19, 1919.  
Magers, J. E., b. Ohio, 1848; Or. 1852; d. near Portland, Jan. 25, 1919.  
Martin, James White, b. Or. Aug., 1853; d. Lafayette, Jan. 23, 1919.  
Mays, J. R., b. Ill. June 29, 1836; Or. 1852; d. North Plains, Feb. 7, 1919.  
Miller, W. G., b. Mo. June 25, 1834; Or. 1852; d. Dillard, Jan. 12, 1919.  
\*Mitchell, William H., b. Ill. 1834; Or. 1853; d. Los Angeles, Cal., March 14, 1919.  
\*McHaley, Andrew J., b. Mo. 1839; Or. 1843; d. Portland, Jan. 24, 1919.  
McClure, Mrs. Laura V. Pierce, b. Ohio, May 13, 1837; Or. 1852; d. La Grande, March —, 1919.  
\*Pitcock, Henry Lewis, b. England, March 1, 1835; Pittsburgh, U. S., 1839; Or. 1853; d. Portland, Jan. 28, 1919.  
\*Robison, George Crews, b. Ill. Oct. 18, 1837; Or. 1853; d. McMinnville, Jan. 31, 1919.  
Russell, A. P., b. Me. 1832; Cal. 1849; Or. Linn county, 18—; d. Salem, March 10, 1919. Father of 17 children, twelve surviving.  
Sears, Charles W., b. Va. 1837; Or. 1854; d. Albany, Feb. 18, 1919.  
Severson, Peter W., b. N. Y. 1830; Cal. 1856; Or. 1858; d. Portland, Jan., 1919.  
Taylor, John A., b. N. Y. Sept. 12, 1825; Or. 1852; d. Feb. 12, 1919.  
Tustin, Caleb S., b. Ill. 1830; Or. 1847; d. McMinnville, Feb. 11, 1919.  
Umphlette, Mrs. Serena, b. Mo. 1833; Or. 1850; d. near Amity, March 21, 1919.  
Van Ogle, H. E., b. Ohio, Sept. 21, 1825; Or. 1853; d. Orting, Wash., Feb. 17, 1919.  
Washburn, Charles W., b. Ohio, Sept. 13, 1824; Cal. 1849; Or. 1853; d. Junction City, Jan. 12, 1919.  
Welch, Mrs. Margaret Levisa Simmons, b. Iowa, May 4, 1838; Or. —; d. Ridgefield, Wash., Feb. 13, 1919.

Only those marked with a \* were ever at any time members of the Oregon Pioneer Association which was organized in 1873.



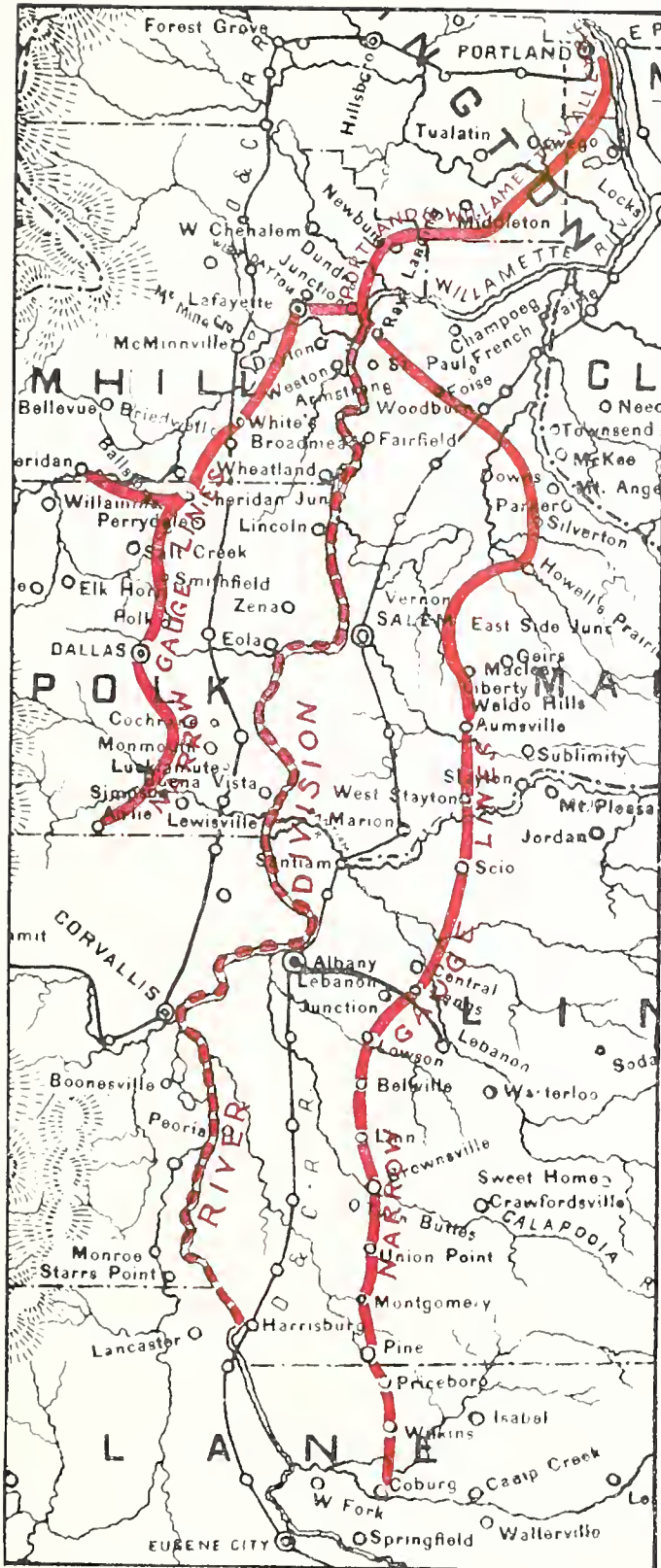




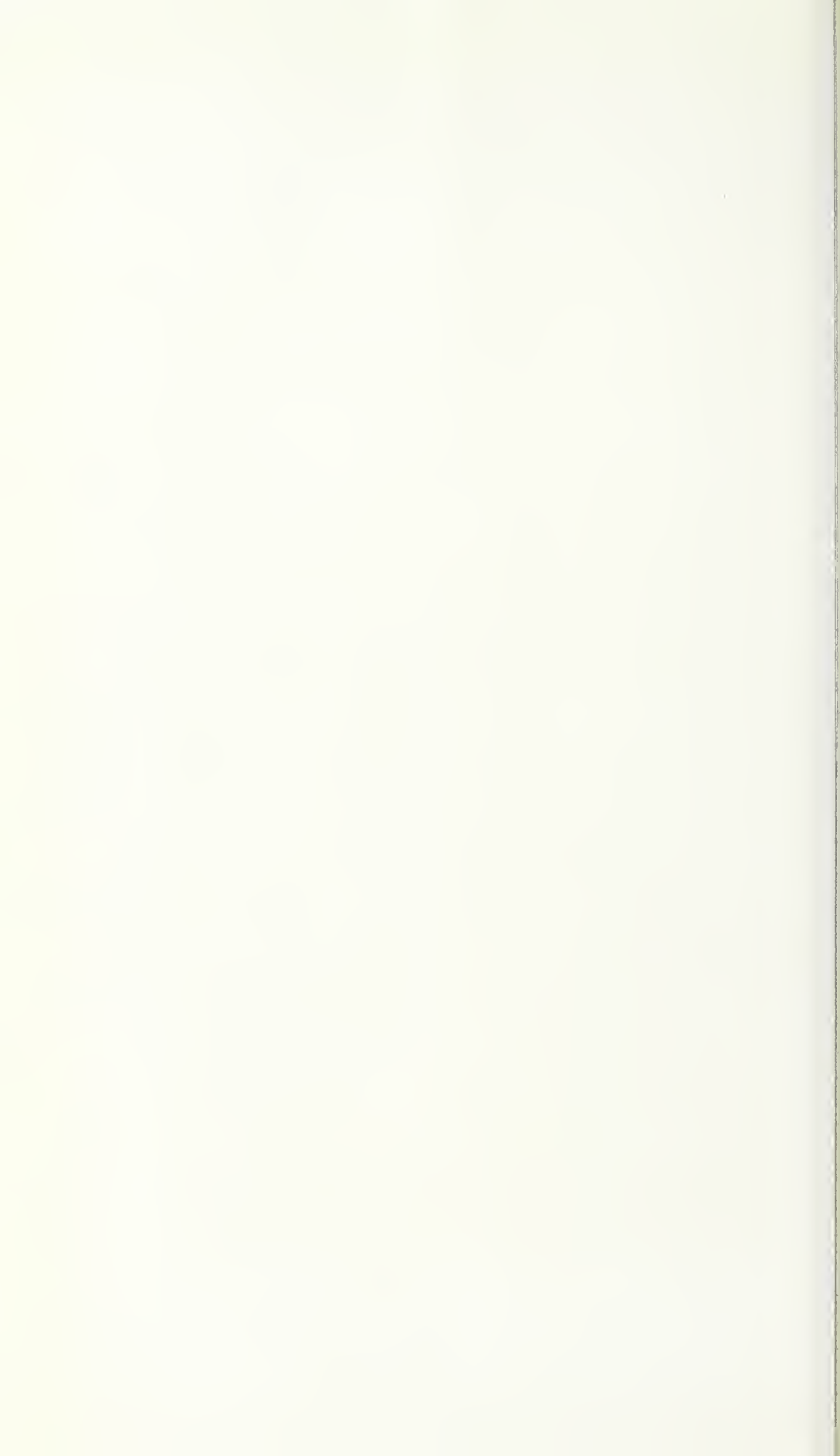








Route of Narrow Gauge Railroad in the Willamette Valley





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The Quarterly disavows responsibility for the positions taken by contributors to its pages.

## HISTORY OF THE NARROW GAUGE RAILROAD IN THE WILLAMETTE VALLEY<sup>1</sup>

By LESLIE M. SCOTT

Forty years ago the Willamette Valley was eager for railroads, just as now for automobile highways. The navigable river which drains the valley was an easy avenue of transportation, but wagon roads leading to the river were difficult, and, in much of the productive area, were impassable in winter and impossible in summer. Two lines of railroad reached southward from Portland, the one forty-eight miles to Saint Joseph, on Yamhill River<sup>2</sup>, the other, two hundred miles to Roseburg<sup>3</sup>, in the valley of Umpqua River. Wagon road approaches to these steel highways were difficult, like those to the river. In short, agricultural growth was held back by poor means of hauling to market. The best remedy then known was construction of iron railroads. And the cheapest railroad to build and operate was the narrow-gauge.<sup>4</sup>

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<sup>1</sup> The writer is indebted, for matter of this article, to Charles N. Scott, who as receiver of the narrow gauge railroad, was its manager in 1885-90; to Richard Koehler, who was foremost in management of the property after its acquisition by the Southern Pacific in 1890; to F. E. Beach, who was manager in 1878 in the initial stages of the railroad; to Joseph Gaston's *Centennial History of Oregon*, the author of which promoted, financed and built the first twenty miles in 1878; and, especially, to the files of *The Oregonian*, the consecutive reading of which has afforded the working materials of this article. See history of narrow gauge in *The Oregonian*, January 1, 1889; also March 6, 1889, by William Reid.

<sup>2</sup> Built in 1870-72; the Oregon Central Railroad.

<sup>3</sup> Built in 1868-72; the Oregon and California Railroad.

<sup>4</sup> The rails of the narrow gauge were three feet apart; of standard gauge, are four feet eight and one-half inches.

The narrow gauge or "Yamhill" railroad, initiated in 1877 between Dayton and Sheridan, in Yamhill County, with a branch to Dallas in Polk County, grew in 1879-81 to be an ambitious system, embracing the length of the Willamette Valley, from Portland to Airlie 80 miles on the west side, and to Coburg, 123 miles on the east side, a total trackage of 183 miles, with proposed extensions to Winnemucca on the Central Pacific in Nevada, and to Astoria at the mouth of the Columbia River, and with proposed connections with Yaquina Bay, the whole system to contain nearly one thousand miles of track, seaports at Astoria, Portland and Yaquina, and transcontinental rail connections with the Central Pacific and Union Pacific railroads. The scheme ended in 1881 when the Oregon Railway and Navigation Company leased the railroad in order to rid Henry Villard's system of its rivalry.

The narrow gauge exercised important competitive effects upon other railroad lines in Oregon. It forced extensions of the Oregon and California Railroad. It influenced the policies of Henry Villard, who was then in command of the Northern Pacific, the Columbia River rail route of the present Oregon-Washington Railroad and Navigation Company, and the present east side and west side lines of the Southern Pacific in Oregon. But the narrow gauge was only partly built; the bridge across the Willamette River near Dundee, to connect the two main branches, was not constructed; tracks, rolling stock and bridges fell into disrepair under Villard; the extension to Portland did not reach completion until a later time, and then under its Southern Pacific owners, who discarded the large scheme, and used the tracks merely as "feeders" to other lines. The tracks of the narrow gauge, broadened to "standard," now are components of the Southern Pacific, some of them electrified.

The history of the narrow gauge makes an important narrative in the progress of Oregon, a narrative which the writer has had in mind during several years, and to which he finds

himself brought suddenly by the unexpected call of the editor of this magazine for "copy."

The initial credits for financing the railroad were supplied by Yamhill and Polk county farmers. The San Francisco firm that furnished the rails took mortgage security, and had to resort to foreclosure for collection. Other credit came from Joseph Gaston, who had promoted the Portland-Forest Grove railroad in 1867-70, and who, though possessing but small means in cash, owned lands which he offered as pledges. These financial resources were so inadequate that the project soon fell into receivership, from which it was extricated by Scotch capitalists headed by William Reid, who in 1878-81 invested some \$2,500,000 in the property. This capital of the Scotchmen also proved insufficient, a further expenditure of more than \$400,000, borrowings by the Oregon receiver in 1885-89, failed to place the railroad on a sound financial basis, and finally the property passed to the Southern Pacific for less than half its original cost, netting to the Scotchmen an apparent loss of some \$1,300,000.

So much for the general survey of the history. Now for details.

Farmers of Yamhill and Polk counties had been waiting many years for promised railroad construction, when, in 1877, a narrow gauge scheme was proposed, to extend from steamboat connections at Dayton to Sheridan, twenty miles. The farmers had grown impatient. Joseph Gaston had promised them a railroad in 1867-70, and Ben Holladay in 1870-73. The latter had opened the west side railroad from Portland to Saint Joseph,<sup>5</sup> near McMinnville, in 1872, and then had collapsed financially. Residents of Yamhill and Polk had expected big things from the west side line, and had seen

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<sup>5</sup> By way of Forest Grove. At this time the Oregon and California Railroad, operating between Portland and Roseburg, and between Portland and Saint Joseph, could not finance the extensions demanded by the people of Willamette Valley, and the best that it could do was to extend fifty miles in 1878 from Saint Joseph to Corvallis. This period of popular clamor for railroads, which resulted in the narrow gauge project, was a period of depression in the earnings of the Oregon and California lines, brought about partly by low rates, which were due to river competition and by the need of stimulating wheat production, and partly by high cost of replacement construction of trestles, bridges and rails. "The net earnings," writes Mr. Richard Koehler in a recent letter to the writer, "dwindled down to less than was necessary to pay one per cent on the bonds outstanding."

their hopes dashed to disappointment. So they were keenly responsive to the independent scheme of the Dayton-Sheridan promoters.

A leading sponsor in its early stages appears to have been Isaac Ball, one of the long-suffering farmers. At his instigation, citizens held a meeting at Amity, October 20, 1877, to consider the project. The meeting named a committee to report upon the practicability of the plan, which committee met at McMinnville, November 1, and reported at a second meeting at Amity, November 17. The report estimated the cost of the railroad between Dayton and Sheridan at \$150,000, based upon costs of similar construction in Ohio, Illinois and Missouri. It cited that the railroad would serve 300,000 acres of land, which would produce 1,000,000 bushels of wheat annually. An assessment of fifty cents an acre would build the railroad, and add five dollars to the value of every acre.<sup>6</sup> The report continued:

"Let every farmer figure for himself. Let him count the time it takes to haul his grain away to Dayton now; count the wear and tear of himself, his teams and the harness and wagons; and the loss in the prices of grain in not being handy to the market to catch it at the top notch. Let him also count the increased cost of all machinery, merchandise, salt, iron, lime, etc., that must be hauled from Dayton or Saint Joe. And then let him consider how much more grain he could raise, if he could save the time spent in hauling off his crop to Dayton, and put it on the farm in fall planting."

This report was dated at Dayton, November 5, 1877, and was signed by B. B. Branson, Charles Lafollette and W. S. Powell. The second meeting at Amity, which received the report November 17, responded promptly by pledging \$24,000 to the enterprise. The committee also went through the preliminaries of incorporating a company, the Dayton, Sheridan and Grand Ronde Railway Company.<sup>7</sup> The directors of the company were B. B. Branson (the first president), Ellis G. Hughes (the succeeding president, elected March 22, 1878), Sylvester Farrell, W. S. Powell, and F. E. Beach. The secretary of the company and its manager in 1878 was Mr.

<sup>6</sup> See *The Oregonian*, November 15, 1877; also September 24, 1878.

<sup>7</sup> Date of incorporation of the Dayton, Sheridan and Grand Ronde Railway, November 14, 1877; capital stock, \$200,000; 2,000 shares, par \$100.



Beach,<sup>8</sup> until the railroad passed into the hands of a receiver, George Revette.

Joseph Gaston, well known railroad promoter, attended the two meetings at Amity, and subscribed to one-half of the 2000 shares. He was authorized to canvass the farmers so as to enlist them to make pledges. The pledges were payable in three instalments, at specified stages of construction, were to be refunded by the railroad in three payments, namely, November, 1, 1880, November 1, 1881, November 1, 1882, and were to be evidenced by "freight orders or script," that is, the railroad was to redeem the pledges by rendering an equivalent value of railroad service. This "freight script" was later held chargeable to the railroad by the supreme court of Oregon, and \$61,000 was refunded.<sup>9</sup>

The heaviest financing was performed by the creditor that supplied the rails, the Pacific Rolling Mill Company, of California.<sup>10</sup> It accepted three mortgages as follows:

Rails for 20 miles, mortgage executed November 5, 1878.....	\$62,724.56
Rails for 12 miles to Dallas, executed December 4, 1878.....	27,134.00
Mortgage executed May 7, 1879.....	4,058.00
Total .....	\$93,916.56"

As the railroad company was unable to make the payments due under the mortgage in 1878, the rolling mill company began suit to recover January 23, 1879, and had the receiver, Revette, appointed, who conducted the management more than a year, or until April 17, 1880.<sup>11</sup>

By arrangement with the Scotch buyers of the railroad, headed by William Reid, the rolling mill company was satisfied. The railroad was conveyed June 2, 1879, to a company representing the new investors, the Willamette Valley Railroad Company, and the old company was dissolved.<sup>12</sup>

<sup>8</sup> See Powell vs. Dayton, Sheridan and Grand Ronde Railroad Company, 16 Oregon 34.

<sup>9</sup> Joseph Gaston's *Centennial History of Oregon* says that farmers pledged \$45,000 and citizens of Dallas put up \$17,000 additional for the branch to that town. See Vol. I, p. 533. See also Branson et al vs. Oregonian Railway Company, Limited, 10 Oregon 279; Powell vs. Oregonian Railway Company, U. S. reports, Sawyer 13, 536.

<sup>10</sup> The contract for rails was dated February 14, 1878.

<sup>11</sup> See Pacific Rolling Mill Company vs. Dayton, Sheridan and Grand Ronde Railroad Company, Willamette Valley Railway Company, Joseph Gaston et al, U. S. Court, Ninth Circuit, Sawyer 7, 61.

<sup>12</sup> See Powell vs. Dayton, Sheridan and Grand Ronde Railroad Company,

<sup>13</sup> Oregon 450-52.

Contract for construction had been let in April, 1878, and the track between Dayton and Sheridan opened for traffic October 24, 1878. The track was poorly constructed and not ballasted. Speed did not exceed twelve or fifteen miles an hour. The equipment consisted of two Baldwin locomotives, not heavier than ten tons each, and a number of flatcars, from which passenger coaches were improvised. The rails weighed twenty-eight pounds to the yard.

At this juncture, the Pacific Northwest was just opening upon a progressive period of railroad construction, and beginning to receive great funds of outside capital. In the years 1880-83 Henry Villard expended \$150,000,000 upon the lines of the Northern Pacific railroad and its allied properties.<sup>13</sup> His German capitalists of the Oregon and California Railroad extended in 1878-79 the Portland-Saint Joseph line fifty miles to Corvallis,<sup>14</sup> and the Portland-Roseburg line in 1881-84, one hundred and fifty miles to Ashland.<sup>15</sup> His Eastern investors in 1879 acquired properties of the Oregon Steam Navigation Company and the Walla Walla-Wallula Railroad, and in 1880-84, built the lines of the Oregon Railway and Navigation Company from Portland to Huntington and to points north of Walla Walla.<sup>16</sup> The Northern Pacific connected with the Oregon Railway and Navigation Company, at the mouth of Snake River, by building lines, in 1879-83, through the Spokane country and the Clark's Fork region. The Pacific Northwest was electrified with the spirit of financial venture. And the Willamette Valley was an inviting field for the investment of Scotch savings. Although the money returns were poor to the thrifty folk of Scotland, yet who will deny that the stimulus afforded to the farmers of Oregon may have strengthened the sons of Oregon to aid the "kilties" on the late battlefields of France?

<sup>13</sup> Villard gained control of the Northern Pacific Railroad in June, 1881.

<sup>14</sup> Opened, Portland to Saint Joseph, late in 1872, by Ben Holladay; Saint Joseph to Corvallis, January 25, 1879, by Henry Villard.

<sup>15</sup> Opened, Portland to Roseburg, November 2, 1872, by Holladay; Roseburg to Ashland, by Villard, May 4, 1884. Villard took the management of the Holladay lines (Oregon and California Railroad) April 18, 1876.

<sup>16</sup> Villard organized the Oregon Railway and Navigation Company in June-July, 1879.

There came to this far off shore in 1874, from Dundee, Scotland, a man who was destined to extend the narrow gauge through the wheat fields of the Willamette Valley, and later, to lead the way to realization of a railroad for the Tillamook-Astoria region. He was William Reid. He heralded his coming with copious newspaper comments both on things of Oregon and on things of his native heather. With him came as an asset of his equipment a fund of Scotch persistency and shrewdness. For five years he acted at Dundee, Scotland, as American vice consul, in which capacity he published in 1873 a pamphlet entitled: "Oregon and Washington as Fields for Capital and Labor." This pamphlet had wide circulation and resulted later in the promotion by Reid at Portland of the Oregon and Washington Trust Company, which was converted into the Dundee Mortgage and Trust Investment Company. Thus Reid became resident agent at Portland for Scotch funds, first for mortgages and then for the narrow gauge railroad. He organized a board of trade at Portland and became its secretary, in which capacity he wrote many descriptions of Oregon resources and progress. He organized the Oregon and Washington Mortgage Savings Bank at Portland, and later the Portland National Bank. At Salem he organized the First National Bank. At Turner and Salem he built flour mills. Due to his operations, the Legislature of Oregon enacted a law in 1878 authorizing foreign corporations to build railroads in Oregon.<sup>17</sup> Reid's record in Oregon progress is that of an energetic and useful constructor.

The Dundee buyers of the thirty-two miles of narrow gauge railroad, having taken hold of the property in 1879, built in 1880-81 one hundred and fifty additional miles of track, expending, in all, sums as follows:<sup>18</sup>

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<sup>17</sup> See session laws, p. 85.

<sup>18</sup> Figures taken from Dundee *Courier and Argus*, March 8, 1889, at time of bankruptcy in Scotch court. The original capital was 16,000 shares, par £10 each, issued in year 1880; 16,000 additional shares issued in 1881. Original mortgage £95,000, 6 per cent, dated February 14, 1881; £119,700, 6 per cent, dated February 4, 1882. To this capital expenditure was added in 1885-89 by the receiver the further sum of \$423,000.

Funds from sale of capital stock, 32,000 shares, par £10, @ £7 17s 6d, £252,000 .....	\$1,227,240
Funds from sale of bonds, £214,700.....	1,045,589
Other borrowed funds .....	255,225
Total .....	\$2,528,054

Construction went forward rapidly in 1880. Ground was broken for the east side branch at Silverton, April 19, 1880, by the wife of Governor W. W. Thayer. The line was opened from Ray's Landing, on Willamette River, near Saint Paul, to Silverton via Woodburn, October 4, of that year; to Scio, November 4, and to Brownsville, December 28. The line reached Coburg in July, 1882. William Reid offered to build to Albany, if that city would erect a river bridge and pay a bonus of \$45,000, but the total outlay to Albany of between \$100,000 and \$140,000 was deemed excessive, and so the narrow gauge passed by Albany to the eastward.<sup>19</sup> The west side branch of the road was extended from Dallas to Monmouth in June, 1881, and to Airlie in the following September; from Lafayette to Dundee and Fulquartz Landing, on Willamete River, opposite Ray's Landing, September 16, 1881. To connect the east side and the west side branches a bridge was to be built between Ray's Landing and Fulquartz Landing. The Earl of Airlie, president of the railroad, when in Portland in October, 1880, directed the chief engineer Major Alfred F. Sears, to begin at once construction of this viaduct. This work began the following month but was halted next year by Henry Villard.<sup>20</sup>

<sup>19</sup> See *The Oregonian*, March 13, 1880.

<sup>20</sup> These operations were conducted by the Oregonian Railway Company, Limited, a corporation of Dundee, Scotland, formed April 30, 1880. This company succeeded the Oregon Railway Company, Limited, of Oregon, incorporated at Portland, February 20, 1880, by William Reid, Donald Macleay and Ellis G. Hughes, and formally took over the railroad from the earlier company, December 11, 1880. The Oregon Railway had been preceded by the Willamette Valley Railroad Company, which conveyed to it, April 2, 1880, and which has been referred to earlier in this article as the successor of the original Dayton, Sheridan and Grand Ronde Railway. The chief and the longest lived of these companies was the Oregonian Railway Company. Its officers in 1881 were William Reid, president, and Ellis G. Hughes, secretary. (Hughes vs. Oregonian Ry. Co., 11 Oregon 159.) It is the view of Mr. Richard Koehler that the Central Pacific project, from Winnemucca, Nevada, to the Willamette Valley, in the period 1880-81, was not seriously considered by the Huntington interests, and that their advantage and their preference lay along the land-grant route of the Portland-Sacramento line. "If there was in Mr. Reid's mind at that time," writes Mr. Koehler in a recent letter to the writer, "a vision of a railroad to Winnemucca, it was in connection with a similar vision of Mr. B. J. Pengra, who maintained from the earliest planning of railroad enterprises that the most practicable and cheapest route was from Winnemucca, via the Pengra Pass and the Middle Fork



The junction of the two branches was to be at Dundee, from which place the railroad was to lead to Portland. The company directors in Scotland had ordered completion of the line to Portland prior to September 1, 1881, and construction was carried on in a desultory way within ten miles of that city, beginning in March, 1880, but was stopped in 1881 by Villard. As the east side and west side branches were separated by the Willamette River, and the extension of the west side branch to Portland was not opened until November 26, 1887, the railroad company operated two steamboats, *City of Salem* and *Salem*, through its subsidiary, Oregonian Navigation Company, Limited.<sup>21</sup> These steamboats and others connected with the east side branch at Rav's Landing, and the west side branch at Dayton. By taking steamboat from Portland at 7 o'clock a. m., passengers reached Dayton at 2 o'clock that afternoon, whence the railroad conveyed them to Lafayette, Dallas, Monmouth and Airlie. The train reached Sheridan at 6:30 p. m. In September, 1881, completion of the track from Lafayette to Fulquartz Landing expedited this business. The company also maintained connections with Salem, Corvallis and Albany by means of river boats. Amid the rose railroad prospects in 1880-81, Central Pacific extensions to Oregon by the route of Humboldt River, Goose Lake, Sorague River, Donner Pass and Middle Fork of the Willamette River, possible connection with the Scottish narrow gauge were often heralded. The country was agog with the grand expectations of Villard's and Huntington's railroad system. The Dundee investors were happy over the prospect. Airlie, when in Portland in October, 1880, ordered a survey of the intermediate route. An ambitious company, the Astoria & Winnemucca Railroad, incorporated at Astoria, May 8, 1879, pursued this scheme, and the Oregon Legislature in 1880

of the Willamette. . . . I also firmly believe that while Mr. Reid may have spoken and written about this grand system of narrow gauge lines, reaching from Portland to Winnemucca, to Yaquina Bay and to Astoria, he based his action in taking over and extending the narrow gauge system upon the belief that by building nearer to the foothills on both sides of the river, than the then existing lines of the Oregon and California Railroad, he could gather a very substantial part of the valley business, and thus make the narrow gauge lines pay."

21 See 11 Oregon 159. Hughes vs. Oregonian Railway Company.

offered free right of way through state lands. This project revived in 1885 in negotiations with Huntington, and again in 1890, when Huntington took over the narrow gauge and planned extensions. It revived once more during the activities of E. H. Harriman in 1906-10, and finally lapsed on account of government repression of railroads.

Villard's move to protect his Oregon and California Railroad from competition of the growing narrow gauge was the logical one of gaining control of the invader. The narrow gauge had given him and his associates a taste of competition when they had felt impelled to build a road in 1879 to Corvallis, and to Lebanon in 1880. For the latter extension Villard had caused to be incorporated the Albany and Lebanon Railroad Company, March 1, 1880, by Joseph N. Dolph, J. Brandt Jr., and Paul Schultze, capital, \$200,000. He had also caused to be incorporated a similar company to build from Salem to Silverton. This extension was not built, but the Lebanon extension, eleven miles, opened September 22, 1880.

So Villard sent to Scotland, to negotiate a lease with the narrow gauge owners for ninety-six years, J. B. Montgomery, who had built ninety miles of the narrow gauge from Ray's Landing to Brownsville and had also built parts of the Northern Pacific. The lessee was Villard's Oregon Railway and Navigation Company, which like the Oregon and California and the Northern Pacific, were then controlled by Villard's Oregon and Transcontinental. The annual rental, \$140,000, to be paid to the Scotch owners, represented seven per cent a year on the total investment, which, up to that time, amounted to nearly \$2,000,000 or one hundred and sixty miles of track. This lease was strenuously opposed by William Reid, builder and president of the narrow gauge, who, in three years saw his reasons for opposition to a rival that meant no good to the narrow gauge, amply verified. Reid's purpose was a connection with the Central Pacific at Winnemucca by the Pengra Pass and Humboldt route, the success of which would have brought to the Pacific Northwest a transcontinental connec-

tion with the Central Pacific, Union Pacific, and valuable activities of progress. Reid sent Ellis G. Hughes, vice president of the narrow gauge company, to New York to deal with Huntington for these connections at the same time that Villard sent Montgomery to Scotland to deal with the owners. Hughes arranged a lease for payment to the stockholders of the narrow gauge four and one-half per cent annually on the cost of the road, plus one-half of the net receipts of the Winnemucca extension. But as the four and one-half per cent offered by Huntington was visibly less than the seven per cent offered by Villard, the thrifty Scotch prized more highly the larger promise and chose the money that three years later proved them penny wise and pound foolish.<sup>22</sup>

The successful lessee took charge of the narrow gauge, August 1, 1881, and immediately set about doing its real purposes. Extensions to Portland and Yaquina immediately stopped; also the terminal plans for use of the public levee at Portland, of which more will be said later; also the bridge project at Ray's Landing which would have united the two branches of the system. Villard showed plainly his real policy, namely, to subordinate the lines of the troublesome invader and make them serve as feeders to the Oregon and California Railroad. When taken over by the receiver in 1885 the narrow gauge system was divided into six separate parts: (1) Coburg to South Santiam, 39 miles, operated in connection with the Lebanon branch of the Oregon and California Railroad; (2) South Santiam to West Stayton, eleven miles, not operated; (3) West Stayton to Woodburn, thirty-nine miles, operated in connection with the Oregon and California Railroad; (4) Woodburn to Ray's Landing, ten miles, not operated; (5) Fulquartz Landing to White's Junction, sixteen miles, not operated; (6) White's Junction to Airlie, forty miles, operated in connection with the Oregon and California Railroad. This policy worked ruin to the narrow gauge property. Bridges washed out by floods were abandoned. The

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<sup>22</sup> See details of lease negotiations in *The Oregonian*, March 6, 1889, written by William Reid.

railroad in the three years ensuing the lease went to wreck as an earning property. Finally, the Oregon Railway and Navigation Company, after retirement of Villard from its affairs, abandoned the narrow gauge and repudiated the lease, May 14, 1884, as null and void.<sup>23</sup> Consternation ensued. Bonds of the narrow gauge at once fell from 120 to 40. Stock shares which had brought \$40 fell to \$2. Without terminal connections, tracks and rolling stock dilapidated, the plight of the railroad was sad, indeed.<sup>24</sup> A receivership ensued under Charles N. Scott, who was appointed by the circuit court of the United States, Judge Deady, March 30, 1885, and took charge of the property April 14, 1885.<sup>25</sup> The receiver was named in the lease suit against the Oregon Railway and Navigation Company and not in foreclosure for the creditors. Under the receiver's management bridges, track and equipment were restored as well as available borrowings would avail until the railroad was taken over in 1890 by the Southern Pacific.

The Scotch owners sought remedy in the United States circuit court of Judge Deady to bind the Oregon Railway and Navigation Company to the ninety-six year term of the lease and were victorious in that court by winning judgments for the rental dues, but the supreme court of the United States on March 5, 1889, held the lease void because it had not been validated by the Legislature of Oregon. Judge Deady, on March 18, 1885, and at intervals thereafter awarded judgment against the lessee for accruals of unpaid rent. The supreme court of the United States held that the Oregonian Railway Company had no power to execute the lease and the Oregon Railway and Navigation Company no power to accept it.

For success of the narrow gauge system, after the lease fiasco in 1884, it was clear that these several things must be

<sup>23</sup> The Oregon Railway and Navigation Company continued to operate the lines until November 15, 1884. See *The Oregonian*, November 12, 1884.

<sup>24</sup> See article by William Reid, *The Oregonian*, March 6, 1889.

<sup>25</sup> Charles Napier Scott proved himself an efficient railroad man and an able administrator of the narrow gauge. Before coming to Oregon he had many years' experience in railroading. He was born April 16, 1846, at Hamilton, Ohio. He is a resident of Portland, Ore. He was finally discharged as receiver August 12, 1891. (*Portland Evening Telegram*, August 12, 1891.)



done: Restoration of the bridges across North Santiam and South Santiam; erection of a bridge between Ray's Landing and Fulquartz Landing; extension of thirty miles to a terminal outlet at Portland from Dundee; purchase of new rolling stock and renewals of ties and trestles. Receiver Scott set himself to the task of rebuilding the Santiam bridges, repairing the tracks and roadbed and buying new equipment, while William Reid undertook the work of building the connecting bridge across Willamette River and the extension to Portland. As the receiver could raise funds only by borrowing, he was authorized by the United States court to issue certificates of indebtedness amounting in all in the five years of his administration, to some \$423,000.<sup>26</sup>

The Dundee-Portland extension was undertaken by the Portland and Willamette Valley Railway Company, incorporated January 19, 1885.<sup>27</sup> The widespread interest taken in the creation of this company throughout Willamette Valley is attested by the large number and the scattering of its incorporators, who were: W. S. Ladd, H. C. Leonard, R. B. Knapp, William Reid, Van B. DeLashmutt, Aaron Meier, J. A. Chapman, Ira F. Powers (Sr.), John Schuerer, J. F. Coyne, C. E. Smith, William Gallick of Portland; A. R. Burbank, H. Hurley, J. H. Olds, W. D. Fenton, P. P. Gates, J. M. Kelty, R. P. Bird, R. R. Daniel, W. M. Townsend, J. W. Watts of Lafayette; L. Bently, T. S. Powell, A. W. Lucas, D. T. Stanley, Wm. Dawson, N. B. Gregg of Monmouth; Goodman Hubbard, Charles F. Johns, H. L. Deacon, Geo. W. Crystal, Wm. Grant, F. G. Richmond of Dallas; Peter Hume, J. M. Moyer, Oliver P. Coshaw, W. R. Kirk, Thomas Kay, R. N. Thompson of Brownsville; A. Coolidge, R. C. Geer, L. C. Russell of Silverton; Robert Pentland, W. E. Price Jr., J. C. Johnson, R. F. Ashly, H. A. Johnson Jr., Frank J. Villa of Scio.<sup>28</sup>

The Portland and Willamette Valley Railway Company was capitalized at \$150,000 capital stock and \$400,000 bonds. Its

<sup>26</sup> Contracts for the Santiam bridges were let July 26, 1886; first authorization to borrow money granted by United States circuit court April 19, 1886.

<sup>27</sup> See *The Oregonian*, January 18, 1885.

<sup>28</sup> See *The Oregonian*, January 18, 1885.

funds were supplied by Huntington, Thomas H. Hubbard and their associates, but the source of the money was not publicly known at the time of construction. The work of building trestles and making rock cuts was extensive and costly. For example, Chehalem Creek was spanned by a 700-foot trestle; Blair Creek by a 1000-foot trestle; Rock Creek by an 1800-foot trestle and Tualatin River by a 180-foot trestle. Deep rock cuts were made at Elk Rock, Oswego and Chehalem Gap. The chief engineer was H. Hawgood.

Construction of the route had suspended in 1881, at the time of the Villard lease and was resumed in January, 1886, by the new company. The track was finished to Elk Rock, near Oswego, in the following December. This progress was signalized December 11, 1886, by an excursion of Portland citizens to Dallas.<sup>29</sup> The first train arrived in South Portland, November 26, 1887. The first train started from Jefferson Street, Portland (public levee), July 23, 1888.

The narrow gauge system gravitated to the Southern Pacific in the years 1885-90. In that period the Southern Pacific absorbed the Oregon and California Railroad. The Southern Pacific entered into negotiation in 1887 with the stockholders and bondholders of the Oregon and California and succeeded in adding the railroad properties of that company to its extensive domains and of connecting them with its California lines.<sup>30</sup> Southern Pacific acquisition of the narrow gauge by steady steps was a natural sequence and became obvious in 1887, when Huntington's ownership of the Portland-Dundee line was no longer concealed, and his negotiations with the Scotch owners of the other branches of the system were tending to a focus. In May, 1887, control was announced of the Portland and Willamette Valley Railway by the Pacific Improvement Company, the principal stockholders of which, C. P. Huntington, Leland Stanford, Charles Crocker,

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<sup>29</sup> By steamboat, *City of Salem*, Portland to Elk Rock. For narrative, see *The Oregonian*, December 13, 1886.

<sup>30</sup> See *Argument* of B. D. Townsend, U. S. vs. Oregon and California Railroad Company, p. 17. Connection with California made at Ashland, December 17, 1887.

Charles F. Crocker and Timothy Hopkins, controlled the Southern Pacific. This second merging of the two railroads of the Willamette Valley (the first by Villard in 1881), was a disappointment to Oregon citizens, who had hoped for competitive activities.<sup>31</sup>

A corporation, formed by Reid to build the Ray's Landing bridge, called the Oregonian Railway Bridge Company, incorporated at Portland, July 21, 1886, capital, \$100,000, but the merging with Southern Pacific interests in 1887 made the bridge project superfluous. This bridge was repeatedly authorized by the Oregon Legislature.<sup>32</sup>

The "seizure" of the public levee at Portland for a terminal by William Reid and his Portland and Willamette Valley Railway, made many vexing episodes in the progress of the extension to that city. This property on the river bank at foot of Jefferson Street had been bestowed upon the city by Stephen Coffin, one of the proprietors of the townsite, for public wharfage purposes. It was situated just where Reid needed his terminal, and Reid proceeded to appropriate it through the Legislature, against protests of Portland. This action had the support of farmers of the Willamette Valley, who desired to afford an outlet for the narrow gauge system. The Legislature made two grants of the levee, the first in 1880,<sup>33</sup> the second in 1885.<sup>34</sup> The first franchise was awarded to the Oregonian Railway Company over Governor Thayer's veto, but the act was defeated in the supreme court of Oregon in March, 1881,<sup>35</sup> but Judge M. P. Deady in the United States circuit court allowed temporary use of the levee pending the suit. This franchise lapsed by its own limitations, because the narrow gauge extension was not built before expiration of the time limit for completion, July 1, 1882.

The second award of the levee, this time to the Portland

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<sup>31</sup> See *The Oregonian*, July 8, 1889, for history of control by Southern Pacific. On May 5, the Pacific Improvement Company acquired for the Southern Pacific, stock control of the Oregonian Railway Company, but not control of the bond ownership until 1889.

<sup>32</sup> See session laws 1887, pp. 339-40; also session laws, 1889.

<sup>33</sup> See session laws, pp. 57-60.

<sup>34</sup> See session laws, pp. 100-06.

<sup>35</sup> See 9 Oregon 231, *Oregonian Railway Company vs. City of Portland*.

and Willamette Valley Railway, included a free right of way through state lands. The railroad entered into possession of the levee December 1, 1887, after tests in the state and federal courts. The company built warehouses and a depot on the river bank, and its successors occupied the property some twenty-five years.

The latter history of the narrow gauge is soon told. The lines of the Oregonian Railway Company were foreclosed by a group of Southern Pacific interests in 1890, chief of whom were C. P. Huntington and Thomas H. Hubbard. The line of the Portland and Willamette Valley Railway was foreclosed in 1892 by the same interests. A new company was formed in 1890 to take over the property, the Oregonian Railroad Company, T. E. Stillman, president; Richard Koehler, vice president; W. W. Bretherton, secretary; Charles N. Scott, superintendent; C. B. Williams, auditor; A. L. Warner, acting auditor; George H. Andrews, treasurer. Receiver Scott turned over the railroad to this company in May, 1890. Soon afterwards the work began of broadening the east side road to standard gauge. At this time Huntington was considering large projects in Western Oregon, among them the Astoria railroad and the Pengra route across Cascade Mountains,<sup>36</sup> together with an extension of the narrow gauge from Silverton to Portland.<sup>37</sup> Surveys for the latter ran by way of Lents and Molalla,<sup>38</sup> but the surveyors were called in late in 1890<sup>39</sup> and the project was abandoned. Huntington extended the railroad from Coburg to Springfield and Natron. Further extension to Wendling was made in 1900. The west side branch was made standard gauge in 1893. Crocker and Stanford interests for a time opposed Huntington's schemes as to the narrow gauge acquisition, and were brought into line, according to current gossip, by Huntington's threats of connecting the narrow gauge system with the Central Pacific.<sup>40</sup>

<sup>36</sup> For Huntington's plans, see *Quarterly*, vol. xv, pp. 231-32.

<sup>37</sup> See *The Oregonian*, April 7, 1890.

<sup>38</sup> See *The Oregonian*, August 5, 1890.

<sup>39</sup> See *The Oregonian*, December 2, 1890.

<sup>40</sup> See *The Oregonian*, November 24, 1890; December 24, 1890.



The mortgage bonds of the Oregonian Railway Company, amounting to £214,700 or \$1,045,589, were paid in full by Huntington in 1889, pursuant to arrangements made with the official liquidator, David Myles, appointee in bankruptcy by the supreme court of session of Scotland, March 20, 1889, to wind up the affairs of the Oregonian Railway Company, Limited, and sell its property for benefit of the creditors.<sup>41</sup> Myles sent to Oregon his attorney, Alexander Mackay, to examine the railroad properties. The number of stockholders of the bankrupt railroad was 183, only two of whom dwelt in Oregon, J. B. Montgomery, 4,000 shares out of 32,000, and William Reid, 149 shares. Reid had also owned 4,000 shares before the Villard lease, and sold all but his 149 shares because disliking the prospect of Villard's control. The price paid to the liquidator yielded a balance of some \$135,000 over the bonds, to pay floating indebtedness due Scotch creditors, amounting to \$250,000. The proceeds were distributed to the various creditors in Scotland, January 15, 1890. Huntington paid, in addition, receiver's certificates to the amount of some \$423,000. The cost to him of the 147 miles of the Oregonian Railway amounted as follows:<sup>42</sup>

To the mortgage bondholders, £235,000 and other creditors.....	\$1,064,450
To the holders of receiver's certificates .....	423,000

<sup>42</sup>Total .....\$1,487,450

The cost of the thirty miles of the Portland-Dundee line probably brought the total up to \$2,000,000. The loss accruing from the narrow gauge system came out of the pockets of the stock subscribers which appears to have been practically a total loss, \$1,227,240, and also out of the coffers of Dundee bank lenders to the extent of \$115,000 additional. The lines of the Oregonian Railway Company were foreclosed in the United States circuit court at Portland, in 1890, and the report of the master in chancery, George H. Durham, was finally approved August 12, 1891. The transfer to Huntington took place May 20, 1890. Huntington made an inspection of the

<sup>41</sup> See *The Oregonian*, February 10, 1890.

<sup>42</sup> Newspaper dispatches of the time of the sale stated the purchase price at \$1,500,000. (*The Oregonian*, June 27, 1890.)

road April 27, 1890. The receivership of Charles N. Scott was not officially terminated, however, until August 12, 1891. In the summer of 1890 the newly organized company abandoned the line between Woodburn and Ray's Landing, ten miles. Late in 1890 the narrow gauge system was leased to the Oregon and California Railroad, but was not formally absorbed by the latter company until 1893.<sup>43</sup>

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<sup>43</sup> The principal places along the route of the narrow gauge, and the mileage, were as follows: Portland to Oswego, 7.3 miles; Tualatin, 13.1; Newberg, 26.4; Dundee Jt., 28.8; Fulquartz, 31.2; Ray's Landing, 33.3; St. Paul, 35.4; Woodburn, 43.4; Mt. Angel, 49.7; Silverton, 53.9; Howell Prairie, 58.2; Macleay, 63.8; Waldo Hills, 66.1; Aumsville, 69.1; West Stayton, 72.9; North Santiam, 75; West Scio, 78.3; South Santiam, 83.8; Lebanon Jt., 90.8; Brownsville, 103.7; Coburg, 123.0. Dayton, 32.7; Lafayette, 34.7; Dayton, Jt., 37.8; Whites, 44.8; Sheridan Jt., 50.2. Ballston, 52.9; Sheridan, 57.2. Perrydale, 52.4; Dallas, 63.0; Monmouth, 70.1; Airlie, 79.4.

From official time tables, 1887. Running time, Portland to Dundee Jt., 3 hours; Dundee to Lafayette, 37 minutes; Sheridan Jt. to Airlie, 2 hours, 30 minutes; Ray's Landing to Coburg, 8 hours.

## BEGINNINGS OF CHRISTIANITY IN OREGON

By GEORGE H. HIMES

To determine the exact date when the first seeds of Christian truth were planted in Oregon soil—meaning historic Oregon, or the "Oregon Country," the area bounded on the south by the 42d parallel, west by the Pacific Ocean, north by the 49th parallel, and east by the summit of the Rock Mountains—is very difficult. So far as known, the first white men known to have set foot on any portion of this soil were Davis Coolidge, first mate of the sloop *Washington*, commanded at this time by Capt. Robert Gray, and Robert Haswell, third officer of the *Columbia*, who had been transferred to the sloop as second mate, and several of the crew. On or about August 3, 1788, the little vessel "made a tolerably commodious harbor"—presumably Tillamook Bay—when Captain Gray sent the officers named ashore with several of the crew, among them his colored boy, Marcos, to get some grass and shrubs. The latter, having used a cutlass in cutting grass, carelessly stuck it in the sand while carrying the grass to the vessel; whereupon a native seized it and ran to the Indian village. Marcos pursued the thief and seized him by the neck, but was soon overpowered by the savages and killed. The officers and men retreated to their boats and rowed to the sloop, followed by the natives in canoes, who were checked by swivel fire from the sloop. One of the crew was wounded by a barbed arrow.

The next men to touch the soil of Oregon were Captain Gray and his clerk, John Hoskins, "in the jolly-boat," and presumably a number of his crew—all going "on shore to take a short view of the country," in the afternoon of May 15, 1792, on the north bank of the *Columbia* at a point about twenty miles from its mouth.

Whether Gray or any of his men gave the Indians, who were very numerous about the good ship *Columbia* when it was anchored in what is now known as Gray's Bay, any hint or suggestion relating to religion in any sense, is not

known. There is no doubt, however, that there were white men upon the Oregon shore before the date above mentioned, but who they were, and where they came from, or whether they sought to instill religious convictions of any sort into the minds of the natives, is and probably always will be unknown.

With the advent of the Lewis and Clark Exploring Expedition in November, 1805—the first expedition of the kind sent out by the Government of the United States—the John Jacob Astor sea expedition in October, 1810, and the Wilson Price Hunt party, the overland section of the Astor party, in April, 1811, the North-West Company in December, 1813, and the Hudson's Bay Company, which absorbed the North-West Company in 1821 and began active operations in Oregon in 1824—there came a considerable number of French Canadian employees and traders, most of whom had been trained in the Roman Catholic church to some extent. While these men led wild lives to a considerable degree, yet they never forget their faith, and in every emergency, when danger threatened, they appealed to God for succor. However elemental their ideas of worship, they probably followed the best light they had at the time. In this manner the Indians by whom these trappers and traders were surrounded received their first impressions of the White Man's "Book of Life," and learned of the "Black Gowns" long before they were visited by a priest.

The Wilson Price Hunt party already alluded to as coming overland in 1811-12, endured great hardships and lost a good many men by desertion, among them twenty-four Iroquois, who had received religious instruction from the Jesuits, or "Black Robes," as they were known, belonging to the mission near St. Louis. By intermarriage they became members of the tribe whose territory was embraced in what is now the country in the vicinity of the present city of Spokane, Washington. Before long they began to yearn for the presence of the "Black Robes," and a council was called and the probability of securing a visit from them discussed. Finally four braves volunteered to go to St. Louis to communicate their desires,



and in the spring of 1831 they started eastward and reached their destination that fall. Their presence, however, did not seem to attract any special attention, since there were many Indians about St. Louis at that time. The hardships of the journey told heavily upon them, and two became dangerously ill and afterwards died. In their sickness both asked to be baptized by the black-robed priests, which was done. Their Christian names were Narcissa and Paul, and the record is in the Cathedral of St. Louis, and both were buried in the Roman Catholic cemetery at that place, Narcissa on October 31st and Paul, November 17th, 1831.

The story of the Indians going from the "Oregon Country" to St. Louis in search of the white man's "Book of Life" has been repeatedly told, but has been doubted in many quarters. The above statement with reference to the occurrence was condensed from the writings of Rt. Rev. Joseph Rosati, Bishop of St. Louis in 1831: and a further proof that the Indians arrived in St. Louis in 1831 may be found in the letter books of Gen. William Clark, Governor of Missouri at that time, now in possession of the Kansas Historical Society.

A second deputation was sent in 1832, consisting of one Iroquois and his family. He arrived safely in St. Louis, had his children baptized, was returning home to his people, with the hope of soon having priests in his country, but was killed by the Sioux Indians.

Dr. John McLoughlin, of Canada, who began his career in 1800 as an employee of the North-West Company, when that company was merged into the Hudson's Bay Company in 1821, was selected as chief factor to take charge of the combined business of both companies in all the territory west of the Rocky Mountains. He came to Oregon in 1824 and changed the headquarters from Astoria to Belle Vue Point—the site of the present city of Vancouver—and built a fort there. He permitted the employees whose terms of service had expired to settle in the Willamette valley and on the Cowlitz river. Numbers of these men had married Indian wives, had children, and began to wish for the presence of a priest.

Upon Dr. McLoughlin's arrival he began the practice at once of reading the services of the Episcopal Church every Sunday, and frequently would read a chapter in the Bible, a sermon or a tract or a prayer. Most of the gentlemen of Fort Vancouver, according to Mrs. Whitman, who arrived there in September, 1836, were Scotch Presbyterians, and a few were Episcopalians. However, many of the laborers were Roman Catholics and had a service of their own, at which Dr. McLoughlin officiated in French, and sometimes would translate a sermon or a tract, but this kind of service was not satisfactory. Accordingly two petitions were sent to the Bishop on Red River for a priest, one on July 3, 1832, and the other on February 23, 1833. In response two missionaries were granted—Rev. F. N. Blanchet and Rev. Modeste Demers; but they did not arrive at Fort Vancouver until November 24, 1838, after enduring incredible hardships in coming over the northern lake, river and horseback route. These fathers toiled alone for four years, and in 1842 were reinforced by two more priests. On December 1, 1843, the Oregon Mission was erected into a vicariate apostolic. This was erected into an ecclesiastical province on July 24, 1846, with three sees—Oregon City, Walla Walla and Vancouver Island. Rt. Rev. F. N. Blanchet, Rt. Rev. A. M. A. Blanchet, and Rt. Rev. Modeste Demers being constituted the presiding Archbishops and Bishops respectively, with perhaps forty helpers.

So much for the planting of the Roman Catholic work. Now I will recite the origin of the Protestant work among the Indians.

By the close of the year 1832 the knowledge of the Indians' trip to St. Louis became generally known throughout Protestant missionary circles, and plans began to be formed with reference to responding to their request. Dr. Samuel Parker, of Ithaca, N. Y., a Congregational minister and a supporter of the American Board of Commissioners for Foreign Missions—the foreign Missionary Society of the Congregational, Presbyterian and Dutch Reformed Churches—was one of the first, and I am not sure but the very first, among

Protestants, to take up the call and urge a quick and hearty response. But his efforts did not arouse those to whom he appealed to sufficient activity to begin operations at once. The Macedonian cry reached the ears of Dr. Wilbur Fisk, President of the Wesleyan Methodist Academy at Wilbraham, Mass. He was a man of action, prompt and decisive, and on March 20, 1833, he wrote a letter to the Methodist Missionary Board suggesting the establishment of a mission to the Flat-heads without delay. This Board having a fund which could be used at once, considered the suggestion favorably, and after a few preliminaries, Dr. Fisk became the leading spirit in promoting the enterprise.

In recalling the young men who had been former students under him, his mind reverted to one Jason Lee, who had come to his school from Canada, and who was then in the service of the Wesleyan church at Stanstead, Canada, the place of his birth.

Mr. Lee caught the inspiration from Dr. Fisk and at once said, "Here am I, send me." Needed preparations were made as rapidly as circumstances would permit, and in March, 1834, Revs. Jason Lee and Daniel Lee, and three laymen, Cyrus Shepard, P. L. Edwards and C. M. Walker, started in company with Captain Nathaniel J. Wyeth, of Massachusetts, who was coming west on a business expedition.

On the way across the plains, Sunday, July 27, 1834, Mr. Lee held public worship in a grove. This was the first religious service he conducted after starting for the Pacific slope from Liberty, Mo., April 21, 1834. His audience was a mixed company of Indians, half breeds and Canadian Frenchmen. That evening, while two of the French-Canadians were racing, a third one ran across the track and a collision ensued which caused the death of one of the riders. Although the deceased person was a Roman Catholic, Captain Thomas McKay, requested Mr. Lee to conduct the funeral service, which he did the next day, thus making Monday, July 28, 1834, memorable as being the day on which the first funeral service west of the Rocky Mountains was conducted by a Protestant min-

ister. On Monday, September 15, 1834, Mr. Lee and party arrived at Fort Vancouver, and were kindly received by Dr. McLoughlin and the gentlemen of the fort. Several days were spent by Mr. Lee in looking out a mission station. At length a suitable one was found, whereupon he returned to the fort on Saturday, September 27. The next day he held religious services at the fort, and the following account I take from his diary:

"Essayed to preach to a mixed congregation of English, French, Scotch, Irish, Indians, Americans, half-breeds, Japanese, etc. some of whom did not understand five words of English. Found it extremely difficult to collect my thoughts or find language to express them; but am thankful that I have been permitted to plead the cause of God on this side of the Rocky Mountains, where the banners of Christ were never before unfurled. Great God! grant that it may not be in vain, but may some fruit appear even from this feeble attempt to labour for thee.

"Evening:—Preached again, but with as little liberty as in the morning; but still I find it is good to worship in the public congregation. My Father in Heaven, I give myself to Thee. May I ever be Thine and wholly Thine—always directed by Thine unerring counsel, and ever so directed as to be most beneficial in the world, and bring most glory to the Most High, that I may at last be presented without spot, and blameless before the throne."

Lee intended to locate in the Flathead country, but Dr. McLoughlin persuaded him to abandon that idea and establish his mission in the Willamette Valley, giving as a reason that he would be more easily protected in the event of attack by Indians if he was not so far away from Vancouver. Lee yielded to this argument, and began his work in what is now Marion County, a few miles below Salem. That mission farm is now owned by Mr. A. M. Lafollet. It may be of interest to know that on September 22, 1834, Lee and his companions were on French Prairie, that on the following Sunday, Sep-



tember 28, he preached at Vancouver, and on the next day, September 29, preparations were made for returning to lay the foundation of Christian work here, and on October 6 the journey was completed and the party encamped on the spot selected for their mission ten miles north of Salem, on the east bank of the Willamette river.

The first sermon preached by Mr. Lee in the Willamette Valley was on October 19 at the house of Mr. Gervais, near the present town of that name, and the congregation was composed of French, half castes and Indians. The following March, Mr. Shepard, who had taught school at Vancouver during the winter, assumed charge of the mission school. Lee soon saw that he was poorly equipped to accomplish what he desired, hence he appealed for reinforcements. In response, Dr. Elijah White and his wife, Alanson Beers and wife, Miss Anna Maria Pittman, Miss Susan Downing, and Miss Elvira Johnson, arrived in May, 1837, and in September of that year Rev. David Leslie and wife, Rev. H. K. W. Perkins and Miss Margaret Smith arrived. With this addition the way seemed clear to Lee to advance his outposts. Accordingly he made a trip as far south as Fort Umpqua, from which he returned in March, 1838. This not proving altogether satisfactory, he concluded to establish a mission at The Dalles, and with this purpose in view he left the Willamette on March 14, 1838, and reached his destination on the 22d. The mission there was decided upon and placed in charge of Rev. H. K. W. Perkins and Rev. Daniel Lee.

Affairs moved along in the even tenor of their way until July 16, 1837—a day which should be forever memorable in the history of religious effort on the Pacific Coast. That day Jason Lee was married to Anna Maria Pittman, Cyrus Shepard to Susan Downing, and Charles Roe to Miss Nancy, an Indian maiden of the Callapooia tribes. Rev. Daniel Lee officiated at the marriage of Jason Lee, and then the latter performed the ceremony for the other two couples, and preached a powerful sermon from Numbers 10:29—"Come thou with us, and we will do thee good: for the Lord hath spoken good concerning Israel."

The rules of the Methodist Episcopal Church were then read by Mr. Lee, after which he baptized the young man just married and received him into the church and administered the Lord's Supper. At this point a young man who had been raised a Quaker and who for some time had shown a change of heart, asked to be baptized and partake of the Lord's Supper. This man's name was Webley Hauxhurst, and I have been informed that he lived a consistent, well ordered Christian life until his death fifty years later. Thus it was that the ordinances of the church were observed for the first time, according to the Protestant form, on the Pacific Coast.

The following winter Lee felt that a special effort should be made to arouse a greater interest in the religious work of Oregon, and began to realize that it was not alone to the Indians that the Gospel should be preached, but that the gradually increasing population of the whites should also have Christian privileges. With this in view he started east overland in March, 1838, carrying with him a memorial to Congress from the American settlers in Oregon which aroused such a degree of interest on the part of the President and Congress that five thousand dollars was given out of the "Secret Service" fund of the Government to aid in Americanizing Oregon. Lee's efforts produced a sensation, arousing the missionary authorities of the Methodist Episcopal Church to vigorous action. This resulted in the equipment of the Ship *Lausanne* for a voyage around the Horn to Oregon, and upon October 25, 1839, she set sail for the Far West carrying 51 souls, known as the "Great Reinforcement," arriving in the Columbia in May, 1840, and finally debarking at Vancouver on June 1st. Soon after, three buildings were erected in Salem—the first there—and thus that place became the headquarters of the Methodist mission field. The preaching force brought on the *Lausanne* were allotted as follows: Nisqually, Puget Sound, J. P. Richmond; Clatsop, J. H. Frost; Umpqua, Gustavus Hines, W. W. Kone; The Dalles, Daniel Lee, H. K. W. Perkins; Willamette Station, Daniel Leslie; Willamette Falls, A. F. Waller.

In connection with Rev. J. P. Richmond it may be said that he was the first minister to begin work north of the Columbia River; that in the summer of 1840 he went to a point about twenty miles from the present city of Tacoma, and built a log cabin, and surrounded it by a stockade for defense from the Indians, about three-quarters of a mile from old Fort Nisqually, which was a post of the Puget Sound Agricultural Company, a branch of the Hudson's Bay Company, established in 1833, and that here, on August 16, 1841, Dr. W. H. Willson and Miss Chloe A. Clark were married. The first child of this union was the late Mrs. J. K. Gill of this city.

The name of Willamette Falls was soon changed to Oregon City, and there Waller erected the first Protestant church on the Pacific Coast, the building of which was begun in 1843 and dedicated in 1844. A little later he built the first house of worship in Salem. Early in 1842 it was decided to create an educational institution to be known as the Oregon Institute, and on October 26, 1842, it formally came under the control of the Methodist Church, and the "Oregon and California Mission Conference" was organized, by authority given by the General Conference of the United States, on September 5, 1849. At this time on the entire Pacific Coast there were 348 members of the Methodist Church and six probationers; of Sunday Schools there were nine, with 261 scholars. At the close of the Conference of March 22, 1853, which by that time was called the Oregon Conference, there were 35 local preachers, 558 church members, and 214 probationers.

The first camp meeting in Oregon or on the coast was near what is now Hillsboro, and was begun on July 12, 1843. The first day 14 were present, Rev. Jason Lee preaching from the text, "Where two or three are gathered together in my name there am I in the midst of them." The other ministers present were: Rev. Gustavus Hines, Rev. H. K. W. Perkins, Rev. David Leslie, and Rev. Harvey Clark, the latter a Congregationalist. Mrs. Wiley Edwards, now of Portland, is probably the only person living who was present at that meeting. On Sunday there were about 60 present, of whom 19 were not pro-

fessing Christians. At the close of the day 16 of these made a public profession, among them Joseph L. Meek, so well known in the early annals of Oregon.

I now return to Dr. Parker. By the spring of 1835 he had been commissioned by the American Board, and had chosen Dr. Whitman to be his companion in undertaking "an exploring mission to ascertain by personal observation the condition of the country, the character of the Indian tribes, and the facilities for introducing the Gospel and civilization among them." Dr. Parker started on March 14, from Ithaca, New York, and arrived at St. Louis on April 4, finding Dr. Whitman already there. They proceeded on their journey and arrived at Green River on August 12. Here they met a large number of Indians, and it became apparent at once that they were not prepared to do the work that they saw would be needed among the Indians, consequently Dr. Whitman returned east, taking with him two Nez Perce boys, whose presence in the East greatly assisted him in arousing the Christian public to activity in missionary effort. The effect of this was to secure an adequate equipment, and in March, 1836, Dr. and Mrs. Whitman, Rev. and Mrs. H. H. Spalding, and Mr. W. H. Gray started on the trip overland to Oregon. They arrived at Vancouver September 12. Mrs. Whitman and Mrs. Spalding were the first white women to cross the continent, and for the first time a wagon was brought to waters flowing into the Columbia. Dr. Whitman at once selected his mission station at Wai-il-et-pu, six miles west of the present city of Walla Walla, and in October he and Mrs. Whitman went thither and began their work among the Cayuses. In November Mr. and Mrs. Spalding went to Lapwai on the Clearwater, thirteen miles from the present city of Lewiston, a tributary of the Snake, and raised their standard among the Nez Perces. The mission church at Wai-il-et-pu was formally organized August 18, 1838, with seven members. That fall reinforcements arrived in the persons of Rev. Elkanah Walker and wife, Rev. Cushing Eells and wife, Rev. A. B. Smith and wife, W. H. Gray and wife, and Andrew Rogers—all sent by the American



Board. All of these united with the mission church already referred to on Sept. 2d, making a membership of sixteen. At a meeting held soon after Mr. Gray was selected to assist Mr. Spalding, Mr. Smith to aid Dr. Whitman, Messrs. Walker and Eells were to select a new location among the Spokanes, and the place chosen was six miles north of Spokane river. In the summer of 1839 Mr. Smith located at his own request at Kamiah, sixty miles from Lapwai, and remained until 1842, when he dissolved his connection with the mission and went to Sandwich Islands. In the fall of 1839 Mr. Gray removed from the mission and located in the Willamette, and for a time was a teacher at the Oregon Institute at Salem. With these exceptions the missionary force among the Indians remained the same until it was broken up by the massacre of Dr. Whitman, his wife, and twelve others on November 29-30, 1847.

In 1840 Rev. Harvey Clark and Rev. John S. Griffin came to Oregon as independent Congregational missionaries. The latter sought a location among the Indians of the Snake River region, but finally abandoned it and came to the Willamette valley and settled in the vicinity of what is now Hillsboro. Mr. Clark also came to the valley and settled at West Tualatin, now Forest Grove. The first Congregational church to be organized was that of "The First Church of Tualatin Plains," as it was originally called, in 1842, of which Rev. Mr. Griffin was the acting pastor. In 1845 the location was changed to Forest Grove, when Rev. Harvey Clark became the pastor. Early in his ministry a log house was built which answered for school use on week days and church purposes on Sunday. In this building what is now Pacific University had its origin. The second Congregational church organized was that at Oregon City, in 1844, with three members. This was really a Presbyterian church, and was first known as "The First Presbyterian Church of Willamette Falls." Rev. Mr. Clark served the church until 1847, walking thither from Forest Grove, at every preaching service, a distance of more than twenty miles. He was followed by Rev. Lewis Thompson, a Presbyterian minister, who preached a few times. A Mr.

Robert Moore, the leading Presbyterian member, having withdrawn to assist in the organization of a Presbyterian Church on the west side of the river at Linn City, the remainder of the members, some time in the latter part of 1848, voted to change the name to the "First Congregational Church of Oregon City."

Rev. George H. Atkinson, of Massachusetts, a graduate of Andover, the first minister sent to the Pacific Coast by the Congregational Home Missionary Society, arrived at Oregon City on June 23, 1848, via Cape Horn. His first service was held in a private house, and the membership of the church numbered seven. Subsequent services were held in the court room and then in the basement of a house; but by August, 1850, a church edifice was erected at a cost of \$3,900, and dedicated. Lumber was \$80.00 per thousand; carpenters' wages ten dollars a day; windows, twenty dollars apiece; and everything else in proportion. The lot where the church now stands cost \$250.00, and it was covered with heavy timber, most of which was removed by Dr. Atkinson. He did a good deal in aiding to build the church in carrying lumber, brick and mortar. Labor was indeed very hard to get, as a large proportion of the population had gone to the gold mines in California. Out of these two churches came the organization of the Congregational Association of Oregon on July 13, 1848.

The third Congregational Church was that at Milwaukie, organized in 1850 by Rev. Horace Lyman, with three members. At that time it was difficult to decide which was the most promising place for a church, Milwaukie or Portland. At length, however, it became apparent that the latter place would lead, hence all the members at Milwaukie moved away.

The fourth was the First of Portland, on June 15, 1851, by Rev. Horace Lyman, pastor, with ten members, and the fifth was that of the First Church of Salem on July 4, 1852, by Rev. D. R. Williams, who had taught school at Forest Grove for the greater part of the previous year.

Among our Baptist brethren the early church organizations were as follows: The church of West Union, May 25, 1844, with six members. That fall Rev. Vincent Snelling, the first

Baptist minister to reach Oregon, arrived and served this church for a time. Its location was a few miles north of Hillsboro, Washington County. Revs. Ezra Fisher and Hezekiah Johnson (1845) were the next Baptist ministers to arrive, and churches were organized at Yamhill and Rickreall in 1846, at Oregon City in 1847, at Clatsop plains, near Astoria, in 1848. These, with the West Union church, had a combined membership of 95. On June 23 and 24, 1848, pursuant to a call by the West Union church, an association was organized, each church being represented by four delegates. It was resolved that two hundred dollars be raised at once to employ a minister to travel and preach within the bounds of the association for one year. The church at Forest Grove was organized on May 22, 1852, and it was the thirteenth Baptist church organized in Oregon.

In the period under review there was but one Presbyterian church organized, that of Clatsop Plains, on September 19, 1846, by Rev. Lewis Thompson, and in the historical summary of the growth of the Presbyterian denomination in Oregon, published by the First Presbyterian Church in Portland under date of June 18, 1899, it asserted that that "was the first Presbyterian Church on the Pacific Coast." The Presbytery of Oregon was organized on November 19, 1851.

The first service of the Protestant Episcopal Church in the original Oregon Territory was held at Vancouver in 1836, by Rev. Mr. Beaver, the chaplain of the Hudson's Bay Company. He held services at Cathlamet, also. Rev. St. M. Fackler held services at Champoege, and possibly at Oregon City. The first Episcopal missionary was Rev. William Richmond, who arrived in Portland in May, 1851, and organized Trinity Church on May 18. On the 25th he organized St. Paul's at Oregon City. The first Roman Catholic Church in Portland was dedicated Feb. 22, 1852. By the end of 1854, the total number of Catholics in Oregon Territory was 303.

It is impossible to state with any degree of certainty the number of professed Christians connected with Protestant

churches in Oregon at the close of the year 1852, but it will be seen from the foregoing that the Methodist, Congregational, Baptist, Presbyterian and Episcopalian denominations were represented in an organized form—the aggregate of all probably not exceeding 1,000 persons. To my knowledge there was a goodly number of the Disciples of Christ—sometimes known as “Campbellites”—in this field, but I do not think there was any regular organization. The total population of Oregon at the close of the year 1849 was about 10,000.



## THE FEDERAL RELATIONS OF OREGON—V.

By LESTER BURRELL SHIPPEE, Ph. D.

### CHAPTER X

#### THE TREATY OF 1846

Simultaneously with the congressional agitation over the question of giving notice, the steps which were to lead to a settlement of the controversy between Great Britain and the United States were being taken. The British Government, as we have seen, had not been too pleased when Pakenham rejected Polk's offer in the way he did. After some uneasiness on the part of Lord Aberdeen as to how the question could be reopened, since it was obvious that England must move first if anything was done, he authorized Mr. Pakenham once more to propose arbitration.

Already, while awaiting new instructions from his government, Pakenham had talked matters over unofficially with Buchanan, who found the British minister no less friendly although more grave. In anticipation of these informal conferences Buchanan had asked, at a Cabinet meeting, what sort of a manner he should assume with Pakenham; particularly he desired power to say that the President would submit a British proposition to the Senate.<sup>1</sup> But Polk said he had not yet determined upon this course and under no circumstances would he intimate that he was thinking of it. Buchanan, therefore, could do no more than he had at previous times in the way of smoothing a path for renewed negotiations. He did, however, inquire of Pakenham the significance of the military and naval activity of Great Britain, and was assured that the preparations had no reference to the United States.

This assurance did not satisfy the President. He had Buchanan ask McLane to bring the question up with Aberdeen.<sup>2</sup> In the same dispatch in which this query was sent Buchanan

<sup>1</sup> Polk *Diary*, I, 119-21.

<sup>2</sup> Buchanan to McLane, 13 Dec. *Works of Buchanan*, VI, 341-2. Also private letter of same date, *Ibid.*

told the American minister, although the President did not at first approve the notion, that in all probability if the British government should make a proposition for settling the Oregon controversy the President would submit it to the Senate for advice. This hint was but one of those which, in the months that followed, revealed the true manner in which the negotiation was being conducted; ostensibly Washington was the scene of action, with Pakenham and Buchanan the principals; quite as much, however, did the negotiation take place in London between Lord Aberdeen and Mr. McLane. The formal exchanges occurred in America; the real dickering was done in England. Buchanan's communications, both to Pakenham and to McLane, were always supervised and sometimes dictated by the President; those to the minister in London afforded the material for the campaign which finally brought the compromise offer.

On the twenty-third of December McLane's hint that a new proposal for arbitration might soon be expected was received by Buchanan. It was discussed at length by the President and his Cabinet and all agreed that arbitration could not be accepted, but Polk refused to allow the Secretary of State to tell Pakenham that a new proposition on which to base negotiations would be respectfully considered; this would mean that the United States had taken the first step, and Polk was determined that Great Britain should move first. He did say definitely that if Pakenham should offer the United States free ports on the sea and on the Straits of Fuca north of 49 degrees he would confidentially consult three or four Senators from different parts of the country and might submit such a proposal to the Senate. So difficult did Buchanan find it to bring himself to the President's view as to what constituted a proper reply to Pakenham's probable overture that Polk dictated to him what he should write:<sup>3</sup>

"I would refer him to the correspondence and your last note

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<sup>3</sup> In part the difficulty Polk had with Buchanan was due to the latter's disappointment about an appointment in Pennsylvania; he thought the President was using his patronage in such a way as to hurt him in his own state. *Diary*, I, 134-6, 143-7.

of the 30th of August, and say, it has been at your option with a perfect liberty to propose any proposition you thought proper, and you had no reason to conclude from what had occurred here that the Government would not have treated such a proposition with respectful consideration when made. You have made no new proposition, & the question therefore stands in its present attitude."

Four days later the formal offer of arbitration was received. Buchanan, when he received the note, agreed with Pakenham that he would like to see the question settled; although he would present the British proposition to the consideration of the President he must say that both he and the President thought a negotiation appeared the better way to go about the business. After learning that the arbitration proposal would find little favor, Pakenham proceeded to comment on some of the bills introduced in Congress, particularly the ones which would make land grants to settlers; such measures, he believed, were in contravention of the terms of the convention of 1827. The proposed fortification of the Columbia River brought up the subject of the Hudson's Bay Company, and Buchanan understood from the drift of the conversation that the rights of this company formed one of the most serious obstacles to a settlement of the question.<sup>4</sup>

In Cabinet it was discovered that the British proposition was to submit to an impartial tribunal not the question of *title*, but of *division* of the Oregon country, and all were in accord that it could not be accepted. As Buchanan wrote McLane,<sup>5</sup> to accept this basis would be to acknowledge that the President had been in error in asserting the title on the part of the United States, and it would be an admission that Great Britain had good title to some part of the territory. On this ground, then, Buchanan notified Pakenham that the proposition was inadmissible. The British minister this time was not inclined to balk at trifles and on his own authority, subject to the approval of

<sup>4</sup> Pakenham to Buchanan, S. Doc. No. 117, 29th C. 1st S.; Pakenham to Aberdeen, 29 Dec., Br. & For. S. Papers, 34:137-8. A Memorandum to the conversation is in *Works of Buchanan*, VI, 350-3.

<sup>5</sup> 29 Dec., Sen. Doc. No. 489, 29th Cong. 1st. Ses. See Polk, *Diary*, I, 147-149.

his government, he suggested a modification to meet the objection; first let the title be considered by the arbiter, then, if it should be found that neither party had good title to all the region, an equitable line of division could be made. Furthermore, since there seemed to be some question as to whether there could be found a suitable arbiter, there might be a "mixed commission with an umpire, or a board composed of the most distinguished civilians and jurists of the time, appointed in such a manner as to bring all pending questions to the decision of the most enlightened, impartial and independent minds."<sup>6</sup>

No immediate answer was returned to this proposal, not because Polk intended to accept it, but, as Buchanan informed McLane,<sup>7</sup> because it was desired to find out what had been the impression made by the Annual Message upon the British government and people. McLane was told once more that the United States would never accept any proposition which involved the surrender of anything south of 49 degrees, and, in view of popular excitement, state legislature resolutions, and the temper of Congress, "if the British government intend to make a proposition to this government they have not an hour to lose if they desire a peaceful termination of the controversy."

While the second arbitration proposition was before the administration Polk made to his Cabinet a tentative suggestion which would have redoubled the efforts of the Whigs in Congress could they have known of it. He suggested for consideration a possibility for a new line of approach to the solution of the question, since it appeared probable that no division of the territory could be agreed upon; let there be made a treaty of commerce, whereby each country agreed to relax its restrictive tariffs; Great Britain should lower her taxes on American foodstuffs, cotton, tobacco and other articles to a "moderate revenue standard" and the United States would do the same with its duties on British manufactured articles. Such a reduction of the United States schedule of duties would

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<sup>6</sup> Buchanan to Pakenham, 3 Jan., *Sen. Doc.* No. 117; Pakenham to Buchanan, 16 Jan., *Ibid.*; Pakenham to Aberdeen, *Br. & For. St. Papers*, 34: 140, (20 Jan.)

<sup>7</sup> Buchanan to McLane, 29 Jan. Given in full in *Works of Buchanan*, VI, 366-8. Only parts of the letter were submitted to Congress.



be a great object for England and she might be willing to surrender all of Oregon if the United States should pay a round sum for the improvements made by the Hudson's Bay Company.<sup>8</sup> This suggestion was not enthusiastically received; Buchanan for one saw in it, if carried out, a total loss of popularity in his own state, for Pennsylvania was not even then a good place in which to talk about lowering tariffs.

On the fourth of February Buchanan formally rejected the British offer of arbitration, stating that if for no other a single reason was sufficient basis for the rejection; the territorial rights of a nation were not properly a subject for arbitration, especially if, as in this case, the amount involved was great.<sup>9</sup> Holding as he did that the title of the United States was best, the President could not jeopardize all the great interests involved with the possibility, however remote, of depriving the United States of all the good harbors on the coast. The territory was not of equal value to both nations, for it could at best be but a colonial possession of Great Britain while it would be an integral part of the American Union. Although these considerations, said Buchanan, had no direct bearing on the question, they were presented because they would explain why the President refused to adopt any measure which would withdraw the title from the control of the Government and the people of the United States. With this rejection of arbitration the negotiation rested for a time.

While it had under consideration the answer to the British minister the Cabinet had before it the resolutions from both houses asking for copies of correspondence between the two governments later than that submitted with the Annual Message. Again a carefully selected list was prepared and forwarded by the President. It included Buchanan's inquiry of McLane about the warlike preparations in Great Britain;

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<sup>8</sup> J. Q. Adams, when he read of the revolution in Great Britain's commercial policy then taking place, wrote in his diary (*Memoirs*, XII, 248): "It is evident that the Oregon question will be settled by the repeal of the corn laws and the sacrifice of the American tariff; a bargain, both sides of which will be for the benefit of England, and to our disadvantage; a purchase of peace, the value of which can only be tested by time." The date of the entry is 20 February. Polk's suggestion is in his *Diary*, I, 191-2.

<sup>9</sup> Buchanan to Pakenham, *Sen. Doc.* No. 117.

McLane's reply reporting the conversation with Lord Aberdeen; and the formal notes relating to the propositions for arbitration.<sup>10</sup>

McLane, meantime, had been active in London, although always acting informally.<sup>11</sup> He reported the British disapproval of Pakenham's rejection of Polk's offer, a disapproval, he said, which all classes expected to have weight with the American government in disposing it to a favorable reception of further overtures which might be made for resuming negotiations. This had been indicated in Parliament<sup>12</sup> as well as in official circles outside. On the basis of this disposition of the British Government McLane urged that the last American proposition be taken as the starting point for a final adjustment, allowing joint occupancy and free navigation of the Columbia for a period of from seven to ten years longer. Better terms than these, he thought, were not to be obtained. To this suggestion Buchanan was directed, after a full Cabinet discussion,<sup>13</sup> to reply to McLane that the President would consent, though reluctantly, to present to the Senate for advice a proposition on the lines indicated by McLane;—49 degrees to the sea and then the straits, but the matter of free ports must be omitted if the tip of Vancouver's Island were yielded, although they might stand if 49 degrees without deviation were adopted.

"There is one point on which it is necessary to guard, whether the first or the second proposition should be submitted by the British government. The Strait of Fuca is an arm of the sea, and under public law all nations would possess the same right to navigate it, throughout its whole length, as they now have to the navigation of the British Channel. Still, to prevent further difficulties, this ought to be clearly and distinctly understood."

These indications, sufficiently plain to us in studying the period at a later date, that Polk was going to submit a compro-

<sup>10</sup> *Globe*, XV, 332. For war preparations see Chap. XI below.

<sup>11</sup> McLane to Buchanan, 3 Feb., *Sen. Doc.* No. 489.

<sup>12</sup> 3 Hansard, 83; 9 seq.

<sup>13</sup> Polk, *Diary*, I, 244-5. Buchanan to McLane, 26 Feb., *Works of Buchanan*, VI, 377-83.

mise offer, if one came, to the Senate, which would undoubtedly advise him to accept it, were not upon the surface then. Even members of his Cabinet were still a little uncertain of the situation, and, except for those Senators with whom Polk talked freely and to whom he had stated that he would submit a proposition to the Senate, Congress was wholly at sea. In the Senate the debate on the notice was going on; in the House the topic was quiescent for the moment, although early in March it was in the forefront again. The war spirit had somewhat subsided, however. The threatened change of ministry in England, which would have given Palmerston the Foreign Office, had not taken place and men felt that Aberdeen could be counted on to pursue a pacific course as long as he was given half an opportunity.<sup>14</sup> Nevertheless there was general unanimity in the belief that things must go on and be settled; the problem must be solved and giving notice was the first step on the American side.<sup>15</sup>

Before McLane received an answer to his suggestion he wrote again,<sup>16</sup> following an interview with Lord Aberdeen, that the United States could not expect the British government to accept anything less than 49 degrees to the sea and free navigation of the Columbia for the Hudson's Bay Company for a period of years. If it should be found that the Columbia was not navigable at the point where it was crossed by the forty-ninth parallel this point would probably not be insisted upon. He reiterated his belief that no proposition of any sort would come until the notice had been acted upon in Congress. The same day he wrote Calhoun to much the same effect, although here he stated that he believed the British government, despite repeated refusals, still had some notion that the United States would ultimately agree to arbitration.

<sup>14</sup> For instance the letters of Webster, Calhoun, Ingersoll and others reflect this view; there would be peace, although just how they could not tell. Yet J. R. Poinsett wrote Van Buren, 2 Mar., (*Van Buren Papers*, Vol. 53): "I very much fear our foreign relations are becoming too complicated for the management of those, who now direct them, to be disentangled without war."

<sup>15</sup> Buchanan analyzed the situation in a letter to McLane, 26 Feb., *Works*, VI, 385-7.

<sup>16</sup> To Buchanan, 3 Mar., *No. West Bound, Arb.*; to Calhoun, *Correspondence of Calhoun*, 1076-9.

The American cause, he felt, had been hurt by the long delay over the notice, as well as by the opinion of some American writers who belittled the pretensions of the United States. An article in the *North American Review*, especially, had produced in England the feeling that the claims of the United States were not, even in the minds of Americans, as good as had been stated.<sup>17</sup>

Henry Wheaton, then on his way to Berlin as American minister to Prussia, had felt the British pulse as he stopped in London. From there he wrote Calhoun<sup>18</sup> that he did not believe the government or the people were inclined to push matters, nor did he think that the passage of the resolutions for notice would be taken as a hostile measure. He told the "great mediator" (his own appellation) that he always let it be understood when anyone talked to him about Oregon that 49° must be adhered to as the most equitable boundary line, that there was no possibility of modifying this basis. This letter, and possibly the one from McLane, was in Calhoun's possession when he made his great speech in March and undoubtedly added to the conviction with which he urged a conciliatory course.

Arbitration had been and was being urged in England outside official circles. In the July (1845) issue of the *Edinburgh Review* Senior had exhaustively examined the Oregon question and had come to the conclusion that arbitration was the only way out. The newspapers, when in a conciliatory mood, looked upon it as a most satisfactory solution. The *London Quarterly Review*, however, believed that in the end a line following 49° and the Straits of Fuca would be selected.<sup>19</sup>

"We are more and more convinced by the advices which we have lately received, that the American cabinet will not and—if it would—could not make any larger concession. It is, we believe, all that any American statesman could hope to carry, and we are equally satisfied, that on our part, after so much delay and complication, and considering it in its future effect

<sup>17</sup> Bowen's article, Jan., 1846. Other articles of the same tone are found in *American Whig Review*, Jan. and Feb., 1846.

<sup>18</sup> 10 Feb., *Correspondence of Calhoun*, 1071.

<sup>19</sup> March, 1846, Vol. XLVII, 603.



on the tranquility of the district itself, it is the best for our interests and sufficient for our honor."

Among all the other indications that the British mind was adjusting itself to 49° is a significant letter from Joshua Bates, head of the British banking house of Baring, to a Birmingham Quaker, Sturgis. Early in December he wrote that stockjobbers were saying "the 49° is about right and there can be no difficulty." This was written before Congress had received Polk's message so the suggestion of fuller terms for a settlement are the more suggestive. The Hudson's Bay Company, he said, desired a settlement and might be more tractable if allowed twenty years' occupation and the right of pre-emption of the lands they were then cultivating, together with the right to elect their allegiance when the United States assumed full control. "This with 49° and the end of Vancouver's Island is as much as any American, be he Bostonian or Carolinian, will, I think, consent to give. If Great Britain is not satisfied with that, let them have war if they want it."<sup>20</sup> In April Bates wrote Sturgis that the Oregon Question was as good as settled.<sup>21</sup> "Your pamphlet has done more than all the diplomatic notes. I claim the merit of suggesting the mode of getting rid of the question of the Hudson's Bay Company and the navigation of the Columbia, by allowing the company to enjoy it for a fixed number of years. Mr. McLane and the Government had not thought of it. In the *Quarterly* is an article written by Croker which completely adopts these views."

The British government was, as McLane had more than once pointed out, waiting for Congress to act upon the notice for as soon as word reached London that the Senate had passed the resolutions and before McLane had received instructions, Aberdeen summoned him to a long conversation and

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<sup>20</sup> 2 Dec. In *No. West Bound. Arb.*, 42-3.

<sup>21</sup> 3 Apr., *Ibid.* The Quarterly referred to is the *London Quarterly Review* quoted above. J. Q. Adams received a copy of Sturgis' pamphlet, in which Bates' suggestions had been incorporated, also a letter from Sturgis who told him, Adams, that his speech in Oregon was inflaming his countrymen to war. Adams notes in his diary (*Memoirs*, XII, 256-7), that "Sturge" was a Quaker to whose unqualified denunciation of war he could not subscribe. Adams took the trouble to write Sturgis explaining his own position on the whole subject.

talked over with him the offer which he thought he should make. The proposition as outlined and as reported to Washington by McLane included (1) a boundary line following 49° to the seat and the Strait of Juan de Fuca with free navigation of the Straits confirmed; (2) security of British and American property rights north and south of the proposed boundary; and (3) free navigation of the Columbia for the Hudson's Bay Company, although Great Britain would claim no right to exercise any police or other jurisdiction for itself or the company; the navigation rights would be under exactly the same conditions which should apply to American citizens. "It is scarcely necessary for me to state," added McLane by way of comment, "that the proposition as now submitted has not received my countenance. . . . I have therefore felt it my duty to discourage any expectation that it will be accepted by the President, or, if submitted to that body, approved by the Senate."<sup>22</sup> The two points, of free navigation of the Columbia and the claim to all Vancouver by Great Britain, seem to have impressed McLane with the fear that no adjustment could be expected. He reported that Lord Aberdeen seemed to have the impression that the Senate would advise the President to accept these terms and the latter would not take the responsibility of rejecting them without consulting the Senate.

The same steamer which brought McLane's letter to the United States also bore instructions to Pakenham. After a careful review of the course of the British government on the Oregon Question and including a statement of the situation of the previous summer, Lord Aberdeen said that Her Majesty's government would "feel themselves criminal if they permitted considerations of diplomatic punctilio or etiquette to prevent them from making every proper exertion to avert the danger of calamities which they were unwilling to contemplate, but the magnitude of which scarcely admits of exaggeration." The legislature of the United States, moreover, had, in complying with the recommendations of the President to terminate

<sup>22</sup> To Buchanan, 18 May, No. *West Bound. Arb.*, 49-51. To Calhoun he wrote in similar vein. *Correspondence of Calhoun*, 1073-4.

the convention of 1827, accompanied their decision with conciliatory sentiments. Therefore the British government directed its minister in Washington to propose to the American government terms which had been drawn up in the form of a treaty which accompanied the instructions. The relative concessions involved in the proposal were reviewed and compared by Lord Aberdeen, but, said he, "I am not disposed to weigh minutely the precise amount of compensation or equivalent which may be received by either party . . . but am content to leave such estimate to be made by reference to a higher consideration than the mere balance of territorial loss or gain. We have sought peace in the spirit of peace."<sup>23</sup>

Even more conciliatory was the letter of private instructions which accompanied the document intended to be shown the American Secretary of State.<sup>24</sup> Pakenham was told to conclude a treaty on the terms outlined, if possible, "since the present constitution of the Senate appears to offer a greater chance of acquiescence . . . than might be present at any future period." However, if the President declined to accept the proposal, and made a counter-proposition, "you will express regret that you possess no power to admit any such modification, and, without absolutely rejecting whatever proposal may be submitted on the part of the United States, you will refer the whole matter to your government." This time there was to be no opportunity for a slip on the part of the minister.

Before information reached America of the steps taken by the British government, men of the conciliation party felt that it was for the United States to show by some sign a disposition to settle the controversy and preserve peace, for, not being altogether in the confidence of the President they had not his conviction that an offer would be made from the other side. Senator McDuffie thought that a renewal of the offer of 49° should accompany the notice. Richard Rush, who had

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<sup>23</sup> Aberdeen to Pakenham, 18 May, *S. Ex. Doc.*, I, pt. 6, 226-8, 42d Cong. 3d Ses.

<sup>24</sup> *Ibid.*, 228-9.

eagerly watched the proceedings from the outside, wrote Vice-President Dallas to the same effect, and Dallas pressed this view upon the President.<sup>25</sup> To them as well as to all others who raised the point Polk always returned the same answer; the move must come first from the other side, but he invariably softened this statement by his old formula that, in confidence, he would say that he intended to submit any reasonable offer to the Senate for previous advice.

A more difficult situation faced the President on account of an article in the official organ, the *Union*. Ritchie, the editor, had not been taken into the confidence of the man whose general views he was supposed to spread broadcast, so, when the notice was finally passed by Congress, he thundered out against the Democrats who had combined with the Whigs to oppose the President. A storm immediately arose. Buchanan reported that there was much dissatisfaction among the Democrats: somebody, they said, ought to be associated with Ritchie to make the *Union* a strong paper and to prevent alienation of members of the party. Allen, whose views the condemned article might have been expected to represent, thought a man like Francis P. Blair (who with Rives had formerly conducted the *Union*) ought to be associated with Ritchie who could not get five votes as Public Printer from the Calhoun faction. Polk himself agreed that although he disapproved the course of Calhoun and his followers, the article had been too denunciatory and severe. He talked it over with Ritchie, who was much perturbed and excused himself by saying that he had prepared it late at night and in a hurry. Thereupon the President gave him the sketch of an article on the matter, telling him to "make out of it what he pleased." "This is the second or third time since I have been President," wrote the President in his *Diary*, "that I have sketched an article for the paper. I did so in this instance to allay, if possible, the excitement which I learned the article in yesterday's *Union* had produced among the Democratic members."<sup>26</sup>

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<sup>25</sup> Polk, *Diary*, I, 348-9; 372.

<sup>26</sup> I, 351 seq.



Allen went so far as to propose to Cass that they take steps to convert the *Congressional Globe* into a daily and, under Blair and Rives, make it a new Democratic organ. Both Polk and Cass, who grasped the situation more clearly than the Ohio Senator, saw that this would only split the party more since the proposed sheet would probably be a Van Buren and Wright paper and its first issue would be taken as the beginning of the next presidential campaign. Allen did not press the topic and it was dropped.

Throughout the country as a whole, except in parts of the West, the passage of the notice was looked upon as a virtual settlement of the Oregon Question, for they were few who believed that then the President would refuse to consider a compromise which in some way was going to be proposed. Editorial advice was not wanting. For example the *Charleston Mercury* from the stronghold of Calhoun said,<sup>27</sup>

"We repeat that we are glad the matter is now in the hands of the President, with the wishes and views of Congress and the people clearly expressed—we sincerely hope that he will not allow any mere notion of form or etiquette to prevent him from at once acting on England for the settlement of the boundary at 49°. If we were to choose for ourselves we would rather be the party to make the offer of 49° than to receive one from the other side."

Confidence that there would be no further hitch in settlement received a severe blow when the Mexican situation was brought before Congress and that body was stampeded into a declaration of war. Calhoun, who tried to prevent the President's sending any message on the subject, feared that it would affect the European relations and arrest or possibly defeat the settlement of the Oregon Question. There would be, he thought, a powerful incentive for England and perhaps France to get into the contest.<sup>28</sup> Yet at the same time Buchanan was speaking "publicly and confidently of a settlement at 49°" and adding that this would not have been obtained if

<sup>27</sup> Quoted in *Niles' Register*, 16 May.

<sup>28</sup> See letters to T. C. Clemson, 12 and 14 May, to J. E. Calhoun, 29 May, *Correspondence of Calhoun*, 690, 692-4.

54 degrees 40 minutes had not been claimed. He asserted as confidently that there would be no war.<sup>29</sup> Such information, coming from the Secretary of State, was taken to express the sentiments of the Administration and could not fail to have effect. Nevertheless it was undoubtedly fortunate for the United States that the offer from Great Britain was sent as it was. A new ministry was in office, with Lord Palmerston of imperialistic tendencies as Foreign Secretary, when the treaty as ratified in the United States was received in London; it would have been passing strange if such a ministry would not have held out for the demands first formulated by Canning had it seemed expedient to do so. As it was the treaty had been submitted to the Senate by the time England had received news of the outbreak of hostilities with Mexico.

On June third Buchanan received McLane's letter forecasting the British offer. "If Mr. McLane is right in the character of the proposition which is to be made, it is certain that I cannot accept it, and it is a matter of doubt in my mind whether it be such as I ought to submit to the Senate for their previous advice," commented the President.<sup>30</sup> But he submitted the letter to his Cabinet the next day. Buchanan inclined to submitting the offer to the Senate, for, as he pointed out, if free navigation of the Columbia was only for the period of the existing charter of the Hudson's Bay Company the point would not be vital. Bancroft, Marcy and Mason also thought it should be submitted.

On June sixth the formal proposition from Pakenham was before the Cabinet where the discussion was largely over the proposed navigation concession. Buchanan had changed his mind and thought it doubtful whether the right would terminate in 1859 when the existing charter of the Company ex-

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<sup>29</sup> Webster to Haven, 28 May, *Speeches and Writings*, XVI, 454. 'Nevertheless only two weeks before this Buchanan had urged Polk to allow him to send to the ministers of the United States in foreign countries along with the announcement of the war a statement that in going to war the object of the United States was not to dismember Mexico. When Polk refused Buchanan said "You will have war with England as well as Mexico and probably France, too, for neither of these powers will stand by and see California annexed to the United States." Polk, *Diary*, I, 397-8.

<sup>30</sup> Polk, *Diary*, I, 444-8; 451-62 *passim*.

pired; Walker and Marcy agreed with Polk in thinking it would, and they, together with Bancroft and Johnson, said offer should go to the Senate. Buchanan was still in doubt; friends of 54 degrees 40 minutes were such good friends of the administration that he wished no backing out on the proposition. This *volte-face* on the part of the Secretary of State angered the President, although he records that he remained calm, and caused him to explain that submission of a proposition was in line with the Annual Message, as well as in accord with the acts of former presidents. Thereupon Buchanan said he would advise submission but declined to prepare the message to accompany it. Privately the other members of the Cabinet spoke to the President expressing their astonishment at the course of Buchanan, and he explained it in this way:

"My impression is that Mr. Buchanan intends now to shun all responsibility for the submission of the British proposition to the Senate, but still he may wish it done without his agency, so that if the 54° 40' men shall complain, he may be able to say that my message submitting it did not receive his sanction. I shall be disappointed if any message which can be drawn will receive his assent. He will choose to dissent and if it is condemned he will escape all responsibility. In his dispatches to Mr. McLane I have more than once, & in the presence of the Cabinet, caused paragraphs to be struck out yielding as I thought too much to Great Britain, and now it is most strange that he should suddenly, and without assignment of any reason, take the opposite extreme, and talk as he did yesterday of 'backing out from 54° 40'."

A second time Buchanan was requested to draw up the message and refused, saying he would have no agency in its preparation; he also doubted if any of his own or McLane's dispatches ought to be sent to the Senate, which Polk explained to himself on the ground that Buchanan had formerly urged 49° and this would be shown. He was, however, dissatisfied with Polk's draft of a message and finally drew one up himself, but neither the President nor the rest of the Cabinet thought it was suitable, while Bancroft reminded his colleague that he had himself said a month ago "the title of the United

States north of 49° was a shakling one." After some more discussion Polk, with the assent of all but Buchanan, determined to send only that portion of his own draft which submitted the British offer, gave his own reasons for taking the course, reiterated his opinions of the Annual Message, and ended with a declaration that he would be governed by the advice of the Senate.<sup>31</sup> He had already consulted several of the Senators and all had advised sending the offer although the 54° 40' men had said that they would vote against accepting it.

Accordingly the proposition reached the Senate on June tenth, and as that body went into executive session Senator Sevier was heard to say, "Now, fifty-four forties, come up to the scratch."<sup>32</sup> This they attempted to do, but numbers were against them and voted down every effort to block immediate consideration of the message and the offer. The next day Haywood's resolution advising the President to accept the offer was adopted by a vote of 38 to 12, and even an amendment proposed by Niles to fix the time limit for the Hudson's Bay Company's privileges was rejected.<sup>33</sup>

When the treaty itself was before the Senate for ratification Benton urged its acceptance as presented, but Cass said that it was not an ultimatum but a "project" to be met with a counter-project, basing his contention upon the correspondence of McLane which had accompanied the treaty. Allen wished the iniquities of the peace men to be exposed to light by moving the suspension of the rule which closed the doors for executive session, but only a small group of 54° 40' men would sup-

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<sup>31</sup> See Message in Richardson, IV, 449-50. On the day the Message was sent to the Senate Polk offered to Buchanan to nominate him to the vacant position on the Supreme Bench at the next session of Congress. Buchanan, who had been indicating that he would like the place, seemed gratified and, a little later, urged that his name be sent immediately. When Congress convened in December, however, he had changed his mind and did not wish the place, probably because presidential possibilities seemed brighter.

<sup>32</sup> *Register*, 13 June. *Globe*, XV, 1223. The "veil of secrecy" was removed in July and the proceedings printed.

<sup>33</sup> The point was brought to the attention of Pakenham by Buchanan who explained that the United States understood that the Company was to enjoy the privilege only for the duration of its actual charter. McLane was also instructed to make this point clear to Lord Aberdeen. Buchanan to McLane, 13 June, *Sen. Doc.* No. 489. The treaty was signed, ratified and sent to England by Robert Armstrong, consul at Liverpool, on the 22d of June.



port him. The alignment on ratification was the same as that when the resolutions for notice were adopted two months before, with the exception of two votes; Evans, a Maine Whig, had voted against the notice and now supported the treaty, while Cameron, a Pennsylvania Democrat, opposed the treaty although he had voted for the resolutions.

Some of the Western Senators were not inclined to submit to their defeat without protest. Allen resigned his position as chairman of the Committee on Foreign Relations, saying as he did so that his views and those of the majority of the Senate were so diametrically opposed that he felt it inadvisable longer to retain the position.<sup>34</sup> Cass, whom Allen urged to resign also, refused to do so but would not accept the chairmanship which would naturally come to him. Allen succeeded in blocking the election of a successor to himself, being supported by Hannegan, Semple and Atchison, who had "lashed themselves into a passion" because of the action of the Senate and who after "that time voted and acted with the Whig party."<sup>35</sup> They voted for Whigs for the committee position and refused "through many ballotings to vote for Senator Sevier, who was the Democratic candidate, and ultimately defeated his election." "They now," went on Polk in describing their conduct, "vote against my nominations as I suppose out of spite. . . . They oppose and embarrass the military bills for the prosecution of the war against Mexico. They profess to be in a great rage (there is certainly no reason for their course) at the settlement of the Oregon question, and yet they can find no just cause of complaint against me. . . . Their course is that of spoiled children." Later on Senator Atchison told the President that he had been excited on the Oregon Question but he remained a personal and political friend. Hannegan, however, harbored so deep a resentment that it was not until the following January that he could bring himself to call upon the President."<sup>36</sup>

<sup>34</sup> *Globe*, XV, 972.

<sup>35</sup> Polk, *Diary*, I, 472, 477, 486-7.

<sup>36</sup> *Ibid.*, II, 78, 348. Webster wrote his son that 54° 40' men seemed a "good deal cast down." Van Tyne, *Letters*, 330.

Rumors of what was going on found their way into newspapers and current discussion. In the House one last attempt to save the honor of the country was made by McDowell who asked for a suspension of the rules to allow him to introduce a set of resolutions in which he asserted once more the "clear and unquestionable title," in spite of which there had, "it is believed, within a few days past, (been) submitted to the President, and through him to the Senate, a proposition to surrender half of Oregon. In view of the ignorance of the people as to what was going on he called upon the House to resolve with him that the question ought to be submitted to the people for their decision, and that if the treaty-making power had been used to settle a question of such magnitude it would "furnish another example of Senatorial and Executive supremacy which (was) incompatible with the Constitution and the rights of the people." The House was not of his mind and refused to suspend the rules. Representative Sawyer, however, denounced the President for backing down and the Senate for deliberately voting away half the disputed territory; "If England knew the character of the treaty-making power as it exists in the present Senate she could ask anything she wants and gets it. We are degenerate sons of noble sires."<sup>37</sup>

There remains the question, not important perhaps, but of interest, as to the real "savior of the country." Was it Polk, Benton, Calhoun or some other? On the day that the Senate advised the President to accept the British offer Calhoun wrote, "It is to me a great triumph. When I arrived here it was dangerous to whisper <sup>49</sup>, and I was thought to have taken a hazardous step in asserting, that Mr. Polk had not disgraced the country in offering it. Now a treaty is made on it with nearly the unanimous voice of the country. I would have an equal triumph on the Mexican question, now the Oregon is settled, had an opportunity been afforded to discuss it."<sup>38</sup>

Senator Benton claimed that he had proposed the course

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<sup>37</sup> *Globe*, XV, 979. 16 June.

<sup>38</sup> To T. C. Clemson, 11 June; to J. E. Calhoun in the same strain, 2 July; *Correspondence*, 697, 698.

which led out of the difficulty, that of submitting a British offer to the senate.<sup>39</sup> The President, he said, had been in a quandry at the reception by the public of his offer of 49°, he had quailed before the storm raised by five hundred Democratic newspapers, and he had underhandedly urged Senators, including Benton himself, to speak in favor of Forty-nine.<sup>40</sup> Benton saw all the Whig Senators and found that they intended to act in the best interests of the country, patriotically, in spite of the attacks upon them by the Administration. As for himself, although he was subjected to similar attacks, he pursued his course depending neither upon the President nor upon the newspapers, but guided by his study of the question for twenty-five years. Four years later, in 1850, he referred to his course on Oregon as not only having been opposed by Greenhow's book but by those who had made that "false and shallow" document the compendium of all knowledge "When I was actually extricating the United States from war by exposing the truth (about 49° as a line) I was blackguarded in the *organ*, calling itself Democratic, by Greenhow."<sup>41</sup>

Besides the President, whose course will be considered in the next chapter, there may be another claimant of the honor. In 1847 a candidate for Parliament from Glasgow, McGregor, told how he had received a letter from Daniel Webster saying that unless there was an equitable compromise at the forty-ninth parallel as a basis there would be trouble between the two countries.<sup>42</sup>

"Mr. McGregor agreeing entirely with Mr. Webster in the propriety of a mutual giving and taking to avoid a rupture, and more especially as the whole territory in dispute was not worth 20,000 pounds to either power, while the preparations alone for war would cost a great deal more before the countries could come into actual conflict, communicated the contents of Mr. Webster's letter to Lord John Russell, who

39 *Thirty Years' View*, II, 673 seq.

40 On the third of January, 1846, Preston King had the House clerk read a charge made in the *London Times* that Polk would rely upon the Whigs and a few Democrats to block the action of the House; Polk would thus appear popular in the West, by a daring declaration, while New England and the South would prevent fatal consequences. *Globe*, XV, 131.

41 *Ibid.*, XXI, Pt. 2, 1662-3.

42 *London Examiner*, 24 July, 1847, quoted in Marshall, *Acquisition of Oregon*, I, 272-3.

at the time was living in the neighborhood of Edinburgh, and in reply received a letter from Lord John, in which he stated his entire accordance with the proposal recommended by Mr. Webster and approved by Mr. McGregor, and requested the latter, as he (Lord John) was not in a position to do it himself, to intimate his opinion to Lord Aberdeen. Mr. McGregor, through Lord Canning, Under Secretary of the Foreign Department, did so, and the result was that the first packet that left England carried out to America the proposition in accordance with the communication already referred to on which the treaty of Oregon was happily concluded. Mr. McGregor may therefore be very justly said to have been the instrument of preserving the peace of the world, and for that alone, if he had no other service to appeal to, he has justly earned the applause and admiration not of his own countrymen only, but of all men who desire to promote the best interests of the human race."

Whether it was Mr. McGregor or Mr. Webster who was the "instrument of preserving the peace of the world," or whether a further claim could be brought by Joshua Bates or any other, it is sufficiently obvious that no one man could claim the merit of having brought about the adjustment. So far as the United States was concerned it is sufficient to point out that events clearly showed that no one man, President or Senator, was in a position to determine the outcome. The North and the South wanted no war, and they were lukewarm about Oregon. As the *Charleston Mercury* put it just after the notice had been authorized by Congress:

"What has Congress been doing? Why carry out western measures under western dictation? Oregon and 54, 40—with its kindred measures—rifle regiments, mounted and unmounted—increase of the army—bills to protect settlers and establish our laws in Oregon—mail facilities to Oregon, to be followed soon, we suppose, with a grand railroad to Oregon. And then nearer home, their rivers and harbors, and that most magnificent of all humbugs, the Cumberland road—a regular wagon road. Thanks to the economical sensibilities of the Yankees, this was too much for even their stomachs, and they threw it up."<sup>43</sup>

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<sup>43</sup> Quoted in *Niles' Register*, 16 May.



## CHAPTER XI.

### POLK AND OREGON

The most spectacular as well as the most critical episode in the history of Oregon's relations to the Federal government of the United States is inextricably bound up with James K. Polk. Any study of the Oregon Question in its last diplomatic stages necessarily makes President Polk the central figure, whether the topic is viewed as an issue in Congress or an international controversy between Great Britain and the United States. In fact, adequately to treat the subject in the period from March, 1845, to June, 1846, necessitates an attack from three points: the diplomatic, the Congressional—including the Senatorial action in executive capacity—and from the plans of President Polk. The three phases are so interwoven that it is difficult to deal with one and not introduce the others, and yet each has its individual stamp and must be followed out by itself if a clear picture is to be presented. Having, in the foregoing chapters, taken the Congressional and diplomatic sides, it remains to consider the problem of Polk's attitude on the Oregon Question.

And a problem it is. Polk has left us his diary, which in print makes four good sized volumes, with an intimate account of his life while he was President, with the exception of the period between March and August, 1845. The diary is an invaluable document for throwing light upon most sides of national political activity during one administration, and it was the Oregon Question itself that suggested keeping such a record, for, says Polk, in the entry of 26 August, 1846:<sup>1</sup>

"Twelve months ago this day, a very important conversation took place in Cabinet between myself and Mr. Buchanan on the Oregon Question. This conversation was of so important a character, that I deemed it proper on the same evening to reduce the substance of it to writing for the purpose of retaining it more distinctly in my memory. . . . It was this

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<sup>1</sup> II, 100-1.

circumstance which first suggested to me the idea, if not the necessity, of keeping a journal or diary of events and transactions which might occur during my presidency."

The resolution was faithfully carried out and to Polk's careful transcription of each day's events is due in considerable part our knowledge of the inside factors of the political game of that eventful period. Shrewd comments on men in public life afford glimpses which illuminate otherwise obscure occurrences. Yet in one respect the *Diary* is most exasperating: nowhere does Polk let us see completely enough the workings of his own mind to ascertain how he came to adopt the course he followed with respect to Oregon. So far from explaining his apparent *volte-face* Polk assumes or seems to assume that his course from the beginning was undeviating and that which happened, so far as he personally was concerned, was exactly what might have been expected. Consequently there is no help in his definite statements, and it becomes necessary to gather hints as they seem to have been casually, perhaps, unconsciously, dropped.

Three possible explanations of Polk's course naturally suggest themselves: the declaration of the Baltimore convention was political thunder which was intended to influence voters in a certain section, and Polk's inaugural was in harmony with it in order to maintain the ruse for a decent time; a second possibility is that while Polk really took the Baltimore platform in good faith, events, too strong for him to resist, forced him to depart from its pronouncement; a remaining solution would attribute to Polk a plan by which he intended from the outset to accept a compromise at the proper moment. Although leading to the same end this last explanation differs from the first in that a policy of *laissez-faire* finds no place in it.

It is necessary to recall the words of the Baltimore convention respecting Oregon: "Resolved, That our title to the whole of the territory of Oregon is clear and unquestionable; that no portion of the same ought to be ceded to England or any other power." Compare this with the statement in Polk's Inaugural Address: "Nor will it become in less degree my

duty to assert and maintain, by all constitutional means, the right of the United States to that portion of our territory which lies beyond the Rocky Mountains. Our title to the country of Oregon is 'clear and unquestionable'; and already our people are preparing to perfect that title by occupying it with their wives and children. . . . The world beholds the peaceful triumphs of the industry of our emigrants. To us belongs the duty of protecting them adequately wherever they may be upon our soil. The jurisdiction and the benefits of our republican institutions, should be extended over them in the distant regions they have selected for their homes." Certainly no one can blame the westerner from reading in this a confirmation of his belief that *all* of Oregon was to be insisted upon, and *all* meant up to  $54^{\circ} 40'$ .

The same impression was forced upon others, more responsible for the declaration of the Democratic party at Baltimore. John C. Calhoun as Secretary of State was telling Mr. Pakenham, the British minister, that the parallel of  $49^{\circ}$  North Latitude was the lowest line the United States would accept, although he hinted that perhaps the United States might not insist upon the tip of Vancouver's Island. At the same time the popular understanding in the country at large was that the Democratic party would never accept anything less than the Russian line. Calhoun, while not on the surface an active worker in the preliminaries of the Baltimore convention, was the leader of his party in the South and was not unacquainted with the causes which led to the nomination of President Polk. Yet Calhoun, in May, 1845, when writing his daughter about not being in the newly-formed cabinet, declared that with Polk's "imprudent declaration in the (Inaugural Address) in reference to the Oregon question, I could not have remained in it had he invited me. I did my best in a conversation I had with him, a week or ten days before he delivered his inaugural, to guard him against the course he took in reference to Oreogn, but it seems in vain." He went on to say that he had had the negotiation in such a state that he saw his way through and would have laid the results before Congress at the last session,

had Mr. Pakenham received expected instructions from his government in time.<sup>2</sup>

To Francis W. Pickens<sup>3</sup> he wrote in the same strain: "I fear Mr. Polk has taken a false view of that important question. The remarks of the inaugural in reference to it, have made it impossible to settle it by negotiation, unless he retracts, or explains away what he has said. . . ."

"I saw the danger, and endeavored to guard Mr. Polk, in my first interview, against it; but as it seems in vain. I, also, endeavored to guard Mr. Buchanan, but I know not whether with more success. A war with England about Oregon would be the most fatal step, that can be taken; and yet there is great danger that it will come to that. In my opinion, if prevented, it must be by the Senate and the South. The question might have been successfully managed. I saw my way clearly through it, and left it in a good way. . . ."

It is fairly clear that Calhoun never thought that any presidential candidate when he had won the campaign and had been inaugurated would ever take seriously the literal words of a campaign slogan. Such was the view of the Democracy of the South and of the North for the most part; only in the West, and there were exceptions there, was Polk expected to adhere to the plank. Thomas Benton said that 54° 40' was adopted as a "campaign message" and the framers of the platform knew little of the geographical situation or of former treaties and negotiations.<sup>4</sup> The bulk of the Democracy in the House of Representatives, however, appeared to be convinced that Polk's words meant what all believed to be the literal meaning of the platform, and this view was strengthened when his first Annual Message outlined what he had done in the summer of 1845 and apparently reiterated his determination never to surrender a foot of Oregon. The Whigs, too, understood him in the same way and did their best to show that this meant war with Great Britain.

<sup>2</sup> 22 May, 1845, *Correspondence*, 656.

<sup>3</sup> 6 May, 1845, *Ibid.*, 653. Letters voicing similar sentiments were written to J. H. Hammond, J. E. Calhoun, John Y. Mason, *Ibid.*, 660, 671, 673, 674-6.

From Duff Green, Tyler and Fernando Wood he received letters which showed that his views were shared by many of his political friends.

<sup>4</sup> *Thirty Years' View*, II, 677.



The press, Whig and Democratic, saw in the Inaugural what Calhoun had seen, for if the Oregon Question had been pushed into the background during the presidential campaign, it came to its own in the publicity attained from the time the Inaugural was pronounced to the Treaty of 1846. With growing intensity the newspaper discussion was waged, for the most part along party lines. The Whig papers deplored the tone of the President and brought forward arguments and assertions as to why negotiations should be continued and a compromise reached. On the other hand the Democratic papers, taking the lead from the new Administration paper, the *Union*, backed the cry for all of Oregon, although some portions of the Southern press would not take the same stand. The *Charleston Courier*,<sup>5</sup> for example, showed the influence of Calhoun's views when, discussing the Inaugural, it advocated a compromise "in which each party may relinquish a part of its extreme claim, with no loss of honor, nor surrender of dignity, or sacrifice of material interests." But the New York *Evening Post*<sup>6</sup> had gathered a large number of leading articles from western papers and was gratified to see "the cordial unanimity of opinion with which (the Oregon Question) is taken up, and the universal determination that our rights to the territory should be stoutly and ably advocated. There is but one sentiment and one voice on the subject. What is clearly ours will be so claimed and maintained, let Great Britain take offense as she may."

"Undoubtedly," was the reply of the *National Intelligencer* (Whig), "'what is clearly ours' ought to be 'so claimed and maintained,' at the proper time and in a proper manner. But the very question at issue, in this case, between the United States and Great Britain, was deemed a fit subject for negotiations by all previous administrations of this government, and now admitted by the present to be such, is, *what* is clearly ours? The 'universal determination,' the *Evening Post* will grant, cannot determine a question of *right*."

Between the *National Intelligencer* and the *Union* arose an

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<sup>5</sup> Quoted in *Niles' Register*, 31 May, 1845.

<sup>6</sup> *Ibid.*

editorial controversy over the tone of the Inaugural. The *Intelligencer*, Whig as it was and sore over the defeat of Clay, took many occasions to point out the defects of the Administration's policy, especially on the most pressing matter of Oregon. One of these articles reviewed the situation and concluded with the opinion that the "case should go forward to its peaceful and reasonable decision; and we hope, as is our public<sup>7</sup> duty, that it will, in spite of all blusterers, *cis* or *trans*-Atlantic." The response of the *Union* to this leader represents the views of the Administration so far as those could be read by the public in general, for Ritchie, a strong Polk man in the campaign, had left the *Richmond Enquirer* to come to Washington as editor of Polk's organ. Ritchie's answer, then, to Gales and Seaton may well have been considered an outline of Polk's desired interpretation of the Inaugural and as such is important enough to be liberally quoted:

"We do not understand that the executive of the United States have any intention of closing the door to any negotiation with Great Britain on the Oregon Question, and, therefore, we might suppose that all the inferences which the National Intelligencer draws from the supposed 'violent ground that the United States (for instance) *will not negotiate*' upon such a course, leaving us the 'alternatives of *submission or war*' and all denunciations which it so gratuitously pours forth upon the 'shocking absurdity' and the barbarous doctrine that 'we ought not to negotiate,' (which the National Intelligencer attributes to some of the republicans,) and thus we revive the 'old umpirage of private rights—the *wager of battle*' are *entirely* misplaced.

"We certainly do not understand that the negotiation about Oregon is at an end; or that our administration is determined or willing to terminate it; or that there is no prospect of amicably adjusting the dispute; or that it must necessarily end in breaking up the peace of the two countries. . . . We yet trust that the 'case may go forward to its peaceful and reasonable decision'; and in spite, too, of all unnecessary menaces of the British ministers and all the blusterings of the London journals.

"Instead of giving gratuitous and superfluous advice to our

cabinet, we should have been better pleased to see the *National Intelligencer* coming out with the expression of its own opinions on the question itself. We should have been better satisfied to have seen the *National Intelligencer* vindicating the just claims of our country against the assaults and arguments of British tongues and British pens; and we still hope to see that journal thus employed and not again, as in the case of Texas, counteracting the rights and interests of our own country."

To this exposition the *Intelligencer* called the attention of its readers and bade them mark the course of the government which had had its course thus outlined in a reputed organ: "We who watch the power, can now oblige it to speak out, and, when it has spoken, can force it to stand to what it has said." The editors considered that the Administration had in so many words bound itself to negotiate on the "question which has spread so much alarm through the moneyed and commercial interests of the country—the Oregon question."<sup>8</sup>

Most western papers and many of the northern papers of Democratic tendencies looked upon Polk's pronouncements as unequivocal in its support of the claim to 54° 40'. The Whig papers and some of the southern Democratic papers, as noted above, reflected the views shown in the citations above. Here and there, however, was sounded a note, bitter in the West and hopeful in the East, which indicated a shade of doubt. The *St. Louis Republican*, for instance, after printing a letter in which Peter Burnett discussed the possibility of an independent Oregon, said:<sup>9</sup>

"In reality there is no reasonable prospect of a settlement of the question by negotiation, for years to come; and there is an influence in the administration of Mr. Polk, which will prevent a resort to *any other* means. Neither Mr. Calhoun nor any of his friends, in South Carolina, nor any of the mettlesome statesmen of that school, who were so hot in the pursuit of Texas, will tolerate or permit a resort to arms in defense of our rightful claim to Oregon. They will have no war with Great Britain, come what else may; and Mr. Polk is not the man to defy them in such a contingency. What is now only

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<sup>8</sup> The articles were in the *Intelligencer*, 5 and 7 May; the *Union* articles are quoted in *Niles' Register* of 10 May.

<sup>9</sup> Of 9 August, 1845, quoted in *Register*, 23 August.

in contemplation in Oregon (i. e., an independent establishment) may, therefore, soon become absolutely necessary to their own security, and all will admit that there is excitement enough in the project of organization of an independent government, and the offices and honors which even such a government would bring with it, to make it acceptable to a people so far removed from the United States as that of Oregon."

But if the President needed only moral support in his pursuit of a policy which would prefer war to the surrender of one inch of Oregon's soil that support was forthcoming in various ways aside from speeches in Congress and newspaper articles. In Illinois, for instance, there was held a State convention at which it was resolved "that the general government were bound to adhere to the declarations of President Polk, in his inaugural speech in relation to Oregon, and to maintain and defend our right to every inch of that territory."<sup>10</sup> Governor John H. Steele, in his message to the New Hampshire legislature in June of 1845, went into an analysis of the situation and asserted that previous offers of compromise had been unfortunate:<sup>11</sup>

"I say *unfortunate*, because no people or government ever yet admitted, or even proposed to waive or yield any of its rights to the claims or demands of Great Britain, but in the end had cause to repent of so doing." The memory of the disgraceful proceedings by which "that haughty power obtained possession of a large portion of the State of Maine" ought to be in people's minds, and warned by it the administration should not again be coaxed or threatened out of just rights. "But it is not my desire or intention to enter into a discussion of that question. It is in the hands of an able and patriotic administration, who will no doubt, use every honorable exertion to bring it to an amicable close. At any rate, I feel confident that no timid concession, no unmanly surrender of clear rights, will be made; and that no truckling to menace will again stain the annals of our beloved country."

In one of the counties of Pennsylvania a meeting came to the resolution that, "in regard to our just claims to Oregon, we will have no compromises but at the cannon's mouth." A

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<sup>10</sup> In *Niles' Register*, 19 July.

<sup>11</sup> *Ibid.*, 21 June.



largely attended meeting in Marion County, Illinois, declared that the title to 54° 40' was clear and the joint occupation agreement should be terminated immediately and military posts established on the road to Oregon.<sup>12</sup> Such expressions of popular feeling are but indicative of a sentiment which was growing with rapidity in the summer and autumn of 1845 and upon which the conservative elements of the North and South looked with apprehension.

Across the water a similar popular clamor was rising as a result of the Inaugural. The matter was considered important enough to elicit from Lord John Russell a question in the House of Commons,<sup>13</sup> and the answer of Sir Robert Peel was not of a character which would allay apprehensions. The British press was stirred into renewed activity and, led by the *London Times*, conducted a campaign of education as to the sinister designs of the United States. The blunt statement of President Polk had been a blow to the *amour-propre* of England and the feeling was everywhere expressed that the insolent Yankee must be taught to adopt a different tone. "There are certain animals that may be led, but won't be driven—Bull is one of them," is the way *Wilmer & Smith's Times* put it. "In his intercourse with foreigners he prides himself upon his courtesy, and he expects the same courtesy in return. The new president's peremptory style has stirred up his bile, and the House of Commons has scarcely reassembled after the Easter recess, when Lord John Russell's" question brought up the matter. This article went on to call attention to the *London Times'* editorial which could be considered an indication of the stand which the government would take.<sup>14</sup>

"We are justly proud" said the *Times*, "that on the Oregon question as well as on that of the northeastern boundary the British government has uniformly shown its moderation as well as its firmness on our side. It is impossible not to deplore, on the other hand, that ill regulated, overbearing, and aggressive spirit of American democracy, which overlooks the real

<sup>12</sup> Several such items are in the *Register* for 9 August.

<sup>13</sup> 3 Hansard, 79; 178 seq.

<sup>14</sup> *Niles' Register* of 26 April contains these as well as other quotations from the press of England.

present interests of the two nations in the Oregon territory—that, namely, of letting it alone for another half century at least, or deciding the matter by arbitration before any local interests have sprung up too powerful to be so disposed of.

“But, since the Americans, and even the press of the United States, are determined that the question shall be allowed to rest no longer—since they have rejected the proposal for an arbitration, and ostentatiously announce claims and measures utterly inconsistent with the system of joint occupation, or the equitable recognition of any concurrent rights at all, it is fit that they be warned in the most explicit manner that their pretensions amount, if acted upon to the clearest *causa belli* which has ever yet arisen between Great Britain and the American Union.”

Such was the view of the *Times*, and such was the attitude of the British press in general, although there were suggestions that the whole matter might still be arranged if the proper attitude on the part of the American government could be restored. The more moderate papers went so far as to suggest the modifications which might be made on each side to effect a settlement, suggestions which were in the air on both sides of the Atlantic and which eventually found their way into the treaty. So the London *Examiner* after setting forth the claims on both sides claimed that it would be madness for either party to claim its maximum, hence the only question was what was the minimum which would be accepted by each; forty-nine to the sea with all Vancouver's Island for Great Britain, it thought, was the basis for such a mutual surrender.<sup>15</sup> The same proposal was made by Senior in the *Edinburgh Review*, much to the disgust of the more radical prints.<sup>16</sup> The *Examiner* admitted that whatever policy Lord Aberdeen should adopt his course would be attended with difficulty. “The American negotiator will employ against him every sort of misrepresentation of principle and facts; for though the national law of the American courts and legal writers is admirable, that of their diplomatists, and indeed of diplomatists in general, is usually a tissue of sophistry and falsehood. We trust that the English

<sup>15</sup> 25 April, 1845, quoted in *Register*, 14 June. Papers on both sides quoted liberally from those of the opposite side.

<sup>16</sup> Of July, 1845; Vol. 82:123-37.

negotiators will not follow their example." It is clear that the editors of the *Examiner* had not learned that American diplomacy differed from all other in the world.

So the war talk on both sides of the ocean grew as the uncompromising stand of Polk during 1845 prevented any immediate adjustment. If this stand was maintained in order to carry out in a realistic manner a political game, a mere keeping up of appearances with a promise never intended to be kept, then it came dangerously near producing a tragedy.<sup>17</sup> Yet those who were close to the President found in his words the same meaning that the more sanguine westerners approved, and that the British public and conservative elements in America feared.

The Inaugural had its share in making it difficult for the President to find a man to his liking to replace Edward Everett as minister to Great Britain. Calhoun, who declined the honor, wrote Francis W. Pickens, who had also been approached,<sup>18</sup> "In addition to the reasons you have assigned, there are others connected with the Oregon question as it stands, which I fear, would make the position of a minister in England who is true to the South embarrassing, should he be charged with any duties connected with it." Martin Van Buren was sounded on the subject and refused the mission after he had consulted with his friends. One of these,<sup>19</sup> after talking the question over with Governor Silas Wright of New York, wrote that the President had no right to make such a request of an ex-President unless he put it on the ground of a great emergency; "if the President would call an extra session of Congress and present your name, then the country would say you ought not to decline, "but the demand should be so strong as to take the whole matter of the Oregon Question out of the "hands of

<sup>17</sup> The Paris *Journal des Debates* and the *Globe*, both Guizot papers and pro-British, held that the American demands were unreasonable, and it was hinted that a rupture between the United States and Great Britain would show the sympathy, if not actual intervention, of France would be for England. (*Register*, 7 Jun.) *La Presse*, hostile both to the French ministry and to England, said the stand of the United States "as to the territory of Oregon not sustainable." *La Constitutionnel*, Thiers' organ, attacked the French tendency to lean toward Great Britain "to the prejudice of an ancient and faithful ally like the United States." (*Register*, 14 June.)

<sup>18</sup> *Correspondence of Calhoun*, 653.

<sup>19</sup> N. C. Flagg to Van Buren, 16 May, 1845. *Van Buren Papers*, 53.

the Baltimore conspirators." Franklin H. Elmore of South Carolina was also invited to accept the post but he too declined it.

Louis McLane, of Delaware, finally consented to undertake the task. Mr. McLane had had wide experience in public service; he had served in both houses of Congress, had been a minister to Great Britain, and had, under Jackson, been Secretary of the Treasury and Secretary of State. Nevertheless, from a party standpoint, his appointment was looked upon as peculiar.

"I do not understand the selection of McLane—unless it was made under the excessive horror of 'cliques' about which poor old Mr. Ritchie prosed so much, and it was thought that it was better to select for so high a mark of honour one who was no democrat at all than any of those who had the misfortune as to be such prominent democrats as not to escape belonging to some clique or other—north, east, south, or west. It has sometimes occurred to me that the President and the Secretary of State see that in the present public feeling about Oregon they cannot yield any thing and that (notwithstanding the disclaimers) they intend to let the negotiation be *really* made in London, and to throw upon the minister there the concession which may be submitted to. I must say I have more confidence in Mr. McLane's spirit and sagacity than I have in those of the President or Secretary and think he will make an abler negotiator than either of them; but I can hardly think of any one whose acts will be more jealously watched by the democracy of every section of the country."<sup>20</sup>

While Mr. Gilpin's surmises regarding the probable outcome were tinged with a certain shrewdness he was evidently unaware of the efforts Polk had made to obtain the services of eminent democrats before he turned to McLane.

In the Cabinet there was, certainly until late in 1845, a conviction that there would be a break with Great Britain before the President would yield a point. After the proposal of 49° had been made and refused, and when the question of withdrawing the offer was being discussed, Buchanan struggled hard to leave a loophole through which the British minister

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<sup>20</sup> H. D. Gilpin to Van Buren, 7 July, *Ibid.*



might gracefully bring back a counter-proposition.<sup>21</sup> Polk was obdurate; he had given much thought to the question and he was glad the offer had been rejected; "it having been rejected he felt no longer bound by it, & would not now be willing to compromise on that boundary." To the Secretary's suggestion that war might follow the President replied, "If we have war it will not be our fault." Buchanan then stated that he supposed there would be a war sometime but he did not think the people of the United States would be willing to sustain a war for the country north of 49° and if there had to be one he would like to have it for some better cause,— "for some of our rights of person or property or of National honour violated." Whereupon Polk told him that he differed as to popular sentiment and he thought "we had the strongest evidence that was to be anywhere seen that the people would be prompt and ready to sustain the Government in the course which he had proposed to pursue."

Many a time in the months following (this conversation took place in the latter part of August) did the Secretary of State strive to secure some definite word which he could use in his negotiation and to the comfort of his own soul, to the effect that a compromise could be made, but he was forced reluctantly to resign himself to the belief that the President was bent on maintaining the stand of the Inaugural which seemed to be "Fifty-Four Forty or Fight." Such too was the opinion of the other members of his Cabinet although no other of them found it so hard to be reconciled as did Buchanan. And today, in reading the record left by President Polk himself, it is difficult to see how any other view could have been reached. Yet it is to be noticed that nowhere did Polk record that he would make no compromise; nowhere did he say that he intended irrevocably to insist on the full claim.

At this point it is interesting to note the views of two contemporary historians of Polk's administration. Lucien B. Chase, a Tennessee Democrat and a member of both the

<sup>21</sup> Polk, *Diary*, I, 4. This is from an entry on a separate sheet noting the conversation which was responsible for the diary.

Twenty-ninth and Thirtieth Congresses, was a sympathetic biographer, and his work was published in 1851 when all the events of the period were fresh in mind; furthermore Mr. Chase felt himself in close touch with what was going on both through members of both houses of Congress and on account of his relations to the President. Nevertheless the following excerpt shows how little he really did know of the situation:<sup>22</sup>

"In connection with the Oregon Question, Mr. Polk committed a fatal error, amounting to what Tallyrand would call a 'blunder,' and which, having the effect of alienating some of his warmest friends greatly embarrassed his administration throughout. In his first communication to the American people, he proclaimed to the world, that our title to the country of the Oregon was 'clear and unquestionable.' In that assertion he was but reiterating the opinions of his constituents, solemnly expressed at the ballot-box. The statement was still more solemnly uttered in his message to Congress. In the same communication he announced a principle which should control the Government of the United States. If it is the unchangeable policy of this country to prevent Europeans from colonizing any portion of this continent, it applies to a territory to which we have *no* claim, as well as that which belongs to us; and if we cannot suffer them to colonize parts of the American continent to which we have no claim, how can we surrender territory to which our title is 'clear and unquestionable'?"

"In this communication (i. e., that asking the advice of the Senate on the British proposition) he committed himself to the action of the Senate, and it was well understood at Washington what advice that body would give him. To reject the proposal of the English Government would have brought him into collision with a large majority of the Senate. The nerves which had remained unmoved in many political struggles, and the firmness which had often overcome the most fiery opposition, where the cheeks of the resolute and bold blanched with terror, were shaken at the prospect of a rupture with Great Britain unsanctioned by one branch of the legislative power." (pp. 50-1.)

Another contemporary biographer was John S. Jenkins<sup>23</sup> who discusses Polk's Oregon activities in this way:

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<sup>22</sup> *History of the Polk Administration*, 32, 33; 50, 51.

<sup>23</sup> *James Knox Polk and a History of His Administration* (1851), 233, 4; 235.

"So thoroughly was Mr. Polk convinced, that the American title to the whole of Oregon was 'clear and unquestionable,' that if he alone had been responsible, he would have instantly declined to surrender any portion of the territory. But by former negotiations the government appeared to be committed to an equitable division, and a decided majority of Congress were avowedly favorable to a compromise. There was, too, a new consideration connected with the question,—one of policy and expediency, motives which always have, and which always should, with some limitations, control the actions of nations and individuals. Upper Oregon and the Island of Vancouver were comparatively valueless, except for the excellent harbors within the Straits of Fuca, which were the only safe and easily accessible one in the whole territory. Those of the southern shore of the Straits were, indeed, to belong to the United States under the British proposition; but war now existed with Mexico, and as that country was largely indebted to American citizens, and was confessedly bankrupt, Mr. Polk, as a wise and sagacious statesman, could not but have foreseen that the contest would terminate with the acquisition, as a satisfaction for the American claims and the expenses of the war, of a large portion of contiguous territory, in which was embraced the bay of San Francisco, the finest harbor on the Pacific coast."

"Thus, by the firm determination of Mr. Polk, was this vexed question, which at one time threatened to interrupt the friendly relations subsisting between the two nations . . . forever settled in a spirit of amity and concord; each party magnanimously surrendering part."

If two contemporaries of Polk could reach such diverse conclusions as to Polk's conduct, contemporaries who supposedly were in touch with the political situation, it is not surprising that the contemporary man on the street was puzzled. The explanation, then, cannot be found in the suggestion that Polk was keeping up a campaign bluster for effect. The matter was overdone; it was not played skillfully to that end for it disrupted the Democratic party. In any case someone besides Polk himself would have had to know the real situation, but political friend and foe alike came to the conclusion almost unanimously that Polk really intended to carry out the Oregon plank of the Baltimore convention.

Only two other explanations offer themselves: Polk took the platform in good faith until he saw the course it pointed was absolutely impracticable, or he had from the beginning a plan which contained his course on Oregon as one of the main threads. Of the two explanations the latter presents more the appearance of being the real one. There was a "bluff" but it was not primarily for the benefit of Great Britain; it was not a trick to force Great Britain into yielding the territory between the forty-ninth parallel and the Columbia,<sup>24</sup> but it was a portion of the game whereby California and other Mexican territory was to be secured; Oregon was a secondary consideration throughout the whole episode. Friend and foe were alike mystified; the southerner who desired more territory to the southwest was as much bewildered as was the northerner who saw in Polk's madness a course which meant war and commercial disaster.

Polk undoubtedly intended to get as much of Oregon as he could, but that it occupied a secondary place in his thoughts is definitely suggested by an entry in his diary recording an interview with Colonel Benton. Before Congress convened in December, 1845, Buchanan had shown Benton the correspondence between the British and American governments—except the instructions to McLane—at Polk's request. Then Benton called to discuss the situation (October 24, 1845). He doubted the completeness of the United States claim when Polk outlined the recommendations which he was going to put into his Annual Message (although he did not tell Benton that these were to be a part of that document). Polk further stated that he inclined to reaffirm Mr. Monroe's doctrine about settlement of the American continents, whereupon Benton said that Great Britain possessed some sort of a title to Fraser's River, the same kind that the United States did to the Columbia.<sup>25</sup>

"The conversation then turned on California," Polk wrote, "on which I remarked that Great Britain had her eye on that country and intended to possess it if she could, but that the

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<sup>24</sup> As McLaughlin in his *Life of Cass* explains it.

<sup>25</sup> *Diary*, I, 71.



people of the U. S. would not willingly permit California to pass into the possession of any new colony planted by Great Britain or any foreign monarchy, and that in reasserting Mr. Monroe's doctrine, I had California and the fine bay of San Francisco as much in view as Oregon. Colonel Benton agreed that no foreign power ought to be permitted to colonize Cuba. As long as Cuba remained in the possession of the present government we would not object, but if a powerful foreign power was about to possess it, we would not permit it. On the same footing we would place California."

This conversation took place, it is to be noted, in October, nearly a year before hostilities with Mexico began and while the belief was growing that Mexico was going to acquiesce in the loss of Texas. Polk's plan was to prevent Great Britain's securing a foothold in California, which the Hudson's Bay Company coveted. But so long as California was a part of Mexico there was always danger that this province would pass into the possession of some strong power, and its possession by the United States would be the only real security against such a contingency. Mexico, however, would not cede California to the United States, therefore California must be taken. In order to do this the United States must fight Mexico, the people of the country must be brought to a proper warlike pitch, and Great Britain must be kept busy so that there would be no temptation to create a diversion to the south, for there was no likelihood that Great Britain would risk the Northwest, where the Hudson's Bay Company had valuable interests, in reaching south to California which was as yet only longed for. In the United States there was no strong disposition to provoke hostilities with Mexico, even in the South, which presumably would gain most from such a move, but, as we have seen, there was a decidedly belligerent tone when Great Britain was under discussion.

All through the summer the war talk had been increasing in both England and America; this Polk knew very well. For instance, shortly after his interview<sup>26</sup> with Benton, he was called upon by Mr. Ward, Boston representative of Baring

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<sup>26</sup> *Diary*, I, 73-5.

Brothers and Company, who told the President that he was a friend of the Administration. He said it was of great interest to his firm to know whether there would be peace or war; he had heard that the President was in favor of claiming all Oregon, in which case there should be danger of war. All the satisfaction Ward could get was the assurance that the general policy of the country was peace. Polk considered the call from Ward as significant because less than a week before Buchanan had received McLane's letter in which the government's dissatisfaction with the course of Pakenham had been stated, and the willingness of the British government to listen to a new proposition indicated. In spite of these opportunities to allay the war rumors, and against the advice, almost pleading, of Buchanan for permission to show that the United States would go part way toward a compromise, Polk insisted that the burden of reopening the negotiation should be placed wholly upon Great Britain.

When the Annual Message was discussed in Cabinet Polk told Buchanan, who was trying to secure a modified tone, that he had not seen ten Congressmen who were "not roused on Oregon and willing to go the whole length."<sup>27</sup> All the 54° 40' men were pleased with the message. It called attention to the accompanying documents which gave the details of the offer of 49°, its rejection and then the withdraway of the offer. The offer was explained in this way:

"Though entertaining the settled conviction, that the British pretensions of title could not be maintained to any portion of the Oregon territory under any principle of public law recognized by nations, yet, in deference to what had been done by my predecessors, and especially in consideration that propositions of compromise had been thrice made, by two preceding administrations, to adjust the question on the parallel of forty-nine degrees, and in two of them yielding to Great Britain the free navigation of the Columbia, and that the pending negotiation had been commenced on the basis of compromise, I deemed it my duty not abruptly to break it off."

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<sup>27</sup> "It was manifest to me that in the whole discussion. . . . Mr. Buchanan disapproved the course which he saw I was inclined to take, and that he was laboring to prevent it." *Diary*, I, 81.

But, continued the Message, the spirit of moderation had not been met by a like spirit on the part of the British negotiator.

"Had this been a new question, coming under discussion for the first time, this proposition would not have been made. The extraordinary and wholly inadmissible demands of the British government, and the rejection of the proposition made in deference to my predecessors, and the implied obligations which their acts seemed to impose, afford satisfactory evidence that no compromise which the United States ought to accept can be effected. With the conviction, the proposition of compromise which had been made and rejected, was, under my direction, subsequently withdrawn, and our title to the whole of Oregon asserted, and, as is believed, maintained by irrefragable facts and arguments.

"The civilized world will see in these proceedings a spirit of liberal concession on the part of the United States; and this government will be relieved from all responsibility which may follow the failure to settle the controversy."

Following this was the list of recommendations respecting Oregon, including the request for authority to terminate the convention for joint occupancy.

"At the end of the year's notice, should Congress think it proper to make provision for giving that notice, we shall have reached a period when the national rights in Oregon must either be abandoned or firmly maintained. That they cannot be abandoned without a sacrifice of both national honor and interest, is too clear to admit of doubt."

With a final reference to the title of the United States the President mentioned the best offer the British had made and stated that a "trifling addition of detached territory" could never be considered by the United States without abandoning her rights, her self-respect and her national honor.

A few days later Senator Benton said to Polk, in the presence of Judge Mason, the Attorney-General, "Well, you have sent us the message. I think we can all go it as we understand it."<sup>28</sup> And this is exactly what took place. The 54° 40' men hailed the Message as fulfilling their utmost desires; the

<sup>28</sup> So Polk records, *Diary*, I, 116. In his *Thirty Years' View* Benton states that the Message put the issue of peace or war into the hands of Congress. (II, 658.) Such a view of the situation would obviously be to advance the reputation of those who took a prominent part, especially in the Senate, for moderation.

moderates, like Benton, were not so sure of it. Buchanan, in a letter marked "private & confidential and not written as Secretary of State," told McLane,<sup>29</sup> "The message has been better received throughout the country than any similar communication to Congress in my day. All moderate men are conciliated by our offer of 49°; whilst the fire-eaters are satisfied with its withdrawal & the assertion of our whole claim. This is the feeling which pervades the whole Democratic party & a very large proportion of the Whigs."

The newspapers, which during October and November, had been alternately predicting that war was inevitable and that negotiations would succeed, judged from the Message that the negotiations had failed and that "either England or the United States must back out of Oregon, or fight for it."<sup>30</sup> Nevertheless even the editors were a little puzzled; while the first "hasty reading" gave the impression that the negotiation was ended further consideration seemed to cast doubt on this conclusion.<sup>31</sup> The total silence of the Message on taking steps in preparation for war seemed to mean that the Administration did not expect hostilities, but a tumble in stocks which came a week later showed that the market was uneasy.

After the Message the pendulum swung from war to peace, and along with popular speculation as to the international result the political significance of the whole thing was worrying the Democratic party. While the South could undoubtedly "save the country" and prevent war<sup>32</sup> this would mean a break in the union of the West and South; should southern Democracy prevent war and in so doing allow the protective-anti-Texas-Oregon wing of the party be in the ascendant, with Wright, Benton & Company wielding the sceptre? Polk, too, was impressed with the political capital which was made out

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<sup>29</sup> *Works of James Buchanan*, VI, 342.

<sup>30</sup> *Niles' Register*, 6 Dec., 1845. For weeks the *Register* had gleaned the papers for expressions of opinions, and had printed them under the caption, "Peace or War." The Message comment was headed, "Our worst anticipations have been realized." A fiery article in the *Union*, just before Congress assembled, had claimed "All Oregon or none."

<sup>31</sup> *Nat. Intelligencer*, 6 Dec.

<sup>32</sup> *Charleston Mercury*, quoted in *Nat. Intelligencer*, 17 Nov.



of it all.<sup>33</sup> Calhoun was firmly convinced that only by the efforts of southern Senators could war be averted, and it was on this account that he returned to the Senate in the winter of 1845-6.<sup>34</sup>

To one observer the Annual Message was not convincing. When John Quincy Adams was asked by George Bancroft what he thought of the document and whether he disapproved of the offer of 49° he said he did not disapprove the offer although he himself would not have made it. He approved the reference to Monroe's doctrine and hoped that the President would adhere to it by force of arms if necessary, but added that he "had not been entirely without apprehension that Mr. Polk would ultimately recede from it." Later, after Adams had read the correspondence submitted with the Message, he noted that the most remarkable thing about it all was that notwithstanding Polk's positive assertions he had made the offer, "which was formerly made under the impression that it would not be accepted." "My own opinion is that this offer should never again be made, nor accepted if offered by Great Britain herself; but it is too clear to me that Mr. Polk will finish by accepting it."<sup>35</sup>

In Europe the Message produced the same feeling that the majority of Americans had, that it uncompromisingly committed the American government and people to demand all Oregon or fight, although the press was inclined to think some way would be found out of the muddle.<sup>36</sup> In Parliament there was some disposition to press the matter although no formal step was taken until April when a demand for papers was refused by the government.<sup>37</sup> Aberdeen stated that the negotiation was not at an end, and, while nothing could prevent

<sup>33</sup> *Diary*, I, 264-5. See quotation in Chapter IX.

<sup>34</sup> See in *Correspondence of Calhoun*, letters to Clemson and to J. H. Hammond, 18 and 28 September, 1845. See *Globe* XVIII, 878, for story told by Holmes *Ibid.*, 906, that by Bayly of Virginia how some Whig merchants of New York requested Holmes to use his influence with Calhoun to have him return to the Senate to lead the 49° forces. Bayly refuted the statement made by Holmes that until Calhoun appeared in Washington no Democrat dared lift his voice for anything but 54° 40'.

<sup>35</sup> *Memoirs*, XII, 218-221.

<sup>36</sup> *Niles' Register*, of 3 Jan., 1846, has a summary of the views of the British press.

<sup>37</sup> 3 Hansard, 79:120-4.

the American government from terminating joint occupation, England could depend upon its government to uphold the honor of the country. An amicable settlement was to be preferred, but should it be otherwise, "I can only say we possess rights which, in our opinion, are clear and unquestionable; and, by the blessing of God, and with your support, those rights we are fully prepared to maintain." In the United States it was believed that the Government's stand was emphasized by the report of increased military preparation.

On all sides, then, Polk could see that there was a **strong** belief that war was scarcely to be escaped. Nevertheless not only did he do nothing which would remove this feeling but he actually added fuel to the flames, although alleging all the time that he believed there would be no war. As we have seen<sup>38</sup> Polk was urging military and naval preparations at the same time he was telling various Senators, confidentially, that he would submit a reasonable British proposition to the Senate for its advice. By his messages, by his conversations with members of both houses, by the activities of his Secretaries of War and Navy with congressional committees, Congress was not allowed to forget that trouble might come, even when the discussion on the notice had taken a turn so that it was well known it would be passed with some sort of conciliatory sentiments.

During the period from the beginning of December until toward the last of April the Mexican question occasionally came before the Cabinet in one form or other, but there was no serious discussion of a possibility of war from that quarter; whenever the possibility of war was up it was always connected with the Oregon Question and Great Britain. It was not until the middle of January that it was definitely known that Slidell would not be received in Mexico, thus putting an end to immediate hope of renewing diplomatic intercourse. General Taylor was ordered to take up his position on the north bank of the Rio Grande in the strip which Mexico claimed did not and never had formed a part of the province of Texas.

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<sup>38</sup> See Chapters VIII, IX, and X above.

With some of the Senators toward the end of March and in April Polk talked over the Mexican situation. He broached the possibility of purchasing New Mexico and California to Allen, Benton and Calhoun, and of the latter asked if it might not be possible to secure from Congress an appropriation, such as had been given to Jefferson in 1806, so that steps to this end might be taken.<sup>39</sup> Calhoun cautioned patience and advised a settlement of the Oregon Question before anything was tried with Mexico. After having thought the matter over a few days Calhoun said that although he approved the object he believed it was inexpedient to bring it before Congress at the time. Polk said nothing more about it for time, until it was evident that the notice would be passed in a conciliatory form. Then, on April eighteenth, he spoke of it again to Calhoun; he believed strong measures would have to be taken with Mexico. Calhoun, however, again cautioned the President against a hasty course; there were, he said, in Washington ministers of several foreign countries who had satisfied him of their desire to act as the common friend of both parties in the Oregon matter, and this question should be settled before there was any thought of pressing the claims against Mexico.

There can be little doubt that Polk was sure, as soon as the British government learned of the passage of the notice, that an offer on substantially the same lines McLane had been urging upon Aberdeen, with his own tacit permission, would come. Such an offer Polk had hinted he would submit to the Senate. Consequently he could have little doubted the peaceful conclusion of the Oregon controversy when, on the ninth of May, he received official notice that General Ampudia had ordered Taylor to retire with his forces behind the Nueces. He had, therefore, no hesitation in sending his famous Mexican Message to Congress.

The Message fell upon willing ears. The war spirit which had been so carefully fostered ever since the opening of the presidential campaign in 1844 responded nobly to the challenge and legislative action necessary to provide forces for a Mexican war fitted easily upon the steps already taken to pre-

pare for possible hostilities with Great Britain. Congress, according to testimony even of southerners who were not unwilling to see the addition of territory which might presumably be to their benefit, were stampeded into a declaration of war.

That Polk intended to force an issue with Mexico in order to obtain California and New Mexico—providing they could not be obtained in any other way—has been brought out many times; that he never intended to allow the Oregon Question to jeopardize the acquisition of the southern territory seems equally clear. He intended, no doubt, to get as much of Oregon as possible and was not willing to have the issue brought bluntly before the British government to stir that body into action. But before all he was thinking of the Mexican territory and played the British concern over Oregon along with the war spirit in his own country to make sure of that. No doubt his course was tinged with opportunism, but the essential game seems to have been this. From his own record it is sufficiently clear that he expected a peaceful solution of the controversy with Great Britain, a solution which would never have attained had he continued to insist upon all of Oregon. Furthermore he was probably aware that his real sentiments on the tariff issue fell in with the desires of the English people and he may have counted on their willingness to relax their pretensions in Oregon rather than to force an issue and bring a high-protectionist party into power.

Some time after the treaty was signed and Congress had adjourned there came an incident which emphasizes the belief that Polk intended to maintain that his course throughout had been marked with consistency. When McLane returned from London in the summer of 1846, in answer to an address from the Chamber of Commerce of New York, he made certain statements which were taken by some of the Whig papers as an admission that the President's Annual Message and his instructions to McLane were inconsistent. Polk accepted McLane's explanation that, while the President was assured of the soundness of the title to 54° 40' as an abstract question, nevertheless McLane was instructed to secure an adjustment on



the basis of 49° since that line had been offered in July of 1845. "The truth is," says Polk, "Mr. McLane's language in his New York address was susceptible of being misinterpreted, and that has given rise to the whole controversy. The Whig press has seized upon it for political capital, and (this) has made it necessary to set forth in the Democratic the true state of affairs."<sup>39</sup>

Among other things McLane had said in his address, "Having some knowledge from my official position at that time of the policy and object of the Convention of 1827, I am quite persuaded that its main design was to lead in a future partition of the territory, to the recognition of our claim to the country not north, but south of the 49th parallel, and between that and the Columbia River." When Richard Rush saw his statement in print he wrote the acting Secretary of State Trist to say that this view was all new to him, for he held that Adams' view of the title was the same as he had maintained in Congress the previous winter, to 54° 40'. Then Rush proceeded to comment on the course of Polk:

"For one, I am unshaken in the belief that it was the President's opening message to the first Congress he met, on the second of December last, that produced the settlement of the Oregon difficulty. It was like a great bumb-shell thrown into the British Cabinet. It took them by surprise, and first aroused them to the unavoidable necessity of a settlement. I thought when it appeared that it would lead to war, so bold was it, though every word was just; whereas it lead [*sic*] to peace."<sup>40</sup>

Toward the very end of his Administration (16 February, 1849) there is found in Polk's *Diary* one more reference to his course with Oregon. Howell Cobb and John H. Lumpkin, Representatives in Congress from Georgia, had called on the President and in the course of the conversation Oregon and Polk's relation to it were mentioned. Lumpkin told of a conversation he had had with Allen who said, in reply to a

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<sup>39</sup> Polk, *Diary*, I, 313, 317, 37-7 (30 Mar., 3 and 18 April.)

<sup>40</sup> *Diary*, II, 136, 139, 167-8, 172-3, for this McLane episode and the newspaper controversy.

question as to what the President would do if the British offered 49°, that (to use Polk's words)<sup>41</sup>

"That was all understood, that if such an offer was made that the President should submit it to the Senate, and that two-thirds of that body would never advise its acceptance. Mr. Lumpkin said that when the contingency happened & I took the very course indicated he was surprised to find that Mr. Allen disapproved it, and, in consequence of it resigned his post as chairman of the Committee on Foreign Relations of the Senate. My notes in this Diary in relation to Senator Allen's course were very full at the time, they will be found to be in accord with Mr. Lumpkin's statement. Before my annual message of December, 1845, was sent to Congress I submitted it to Mr. Allen, and he advised me in the event (Great Britain) returned my offer of 49° to me to take the very course I did, and with which, when I did it, he found fault. By referring to this Diary a few days before the meeting in Congress in December, 1845, and in the early part of June, 1846, what occurred between Mr. Allen and myself will be found recorded. I note Mr. Lumpkin's statement to-night for reference if the subject should ever be brought before the public by Mr. Allen."

Whether Polk actually believed his course was absolutely consistent in spirit there is nothing to show; that he believed it consistent in the letter is clear. Whatever may be one's personal opinion of his policy it must be admitted that he showed himself a man of much greater political ability than most of his contemporaries thought him, or than he has been pictured by most later accounts.

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<sup>41</sup> *Ibid.*, IV, 335-7.  
Professor R. L. Schuyler (Polk and the Oregon Compromise, in *Political Science Quarterly*, XXIV, 443-61), finds nothing to warrant an imputation of double dealing in Polk's course. He concludes that Polk, finding the Senate would not go with him in his stand on Oregon, decided to throw the whole issue upon the Senate so that the Treaty of 1846 was in reality a Senate Treaty.

## NEWS AND COMMENT

By LESLIE M. SCOTT

### "WHERE WAS BLUE BUCKET?"

Casual discovery of lumps of yellow metal, in the fall of 1845, in Central or Eastern Oregon by members of the "Meek's Cut-off Party," gave rise to the idea, after discovery of California gold three years later, that the lumps were of the precious metal, and ever since that time the place of the discovery has been a subject of discussion. A quantity of the lumps, gathered in a blue bucket, gave rise to the name. This was probably the earliest discovery of gold on the Pacific Coast.

In March, 1919, Tyra Allen, of Pendleton, started discussion of the subject by asking "Where was Blue Bucket?" in a letter printed in the *Canyon City Eagle*. Numerous responses came forth in several newspapers, especially in the *Portland Oregonian*. George Irvin, of Monument, Grant County, said in an article quoted in *The Oregonian* of April 23, 1919, that the discovery was made in Spanish Gulch of the John Day country. "Son of a Pioneer," writing in that newspaper of April 25, 1919, said the discovery occurred probably on a tributary of John Day River. He wrote:

"The party proceeded for a number of days, crossing a divide separating the valley of the Malheur from either the Silvies or the John Day River, and somewhere near the end of this digression encampment was made on a small stream (more probably a tributary of the John Day River). Either while fishing in this stream or while taking water therefrom for camp purposes, numerous pieces of yellow metal were found in the stream bed or grass roots, the character of which was debated and tests made by hammering the nuggets into different forms on the wagon tires."

The father of this writer was a member of the pioneer party. Mrs. Ruth Herren Leonard, of Dayton, Washington, whose father was also a member of the party, quoted him, in

*The Oregonian* of April 26, 1919, as giving the place as in Tygh Valley, but this explanation lacks credence because the party seems not to have entered Tygh Valley but to have turned northward to the Columbia River without crossing the Deschutes River. W. W. Oglesby, of Cottage Grove, Oregon, wrote in *The Oregonian*, May 1, 1919, that the place of discovery was in the waters of John Day River. After the discovery, wrote Mr. Oglesby, the party spent two days reaching Farewell Bend of the Deschutes River, whence the party turned north to the Columbia. O. C. Applegate, writing from Klamath Falls, in *The Oregonian* of May 6, 1919, leaned to the belief that the discovery was made in the region of Stein Mountain.

The place of the Blue Bucket is scattered over a wide variety of opinions, and may never be known. Fifteen years later the placer diggings of Eastern Oregon began an activity that produced large findings of gold, especially in the John Day country. The frequency of gold nuggets in the beds of streams makes the Blue Bucket story not merely credible, but in connection with the many authentic versions of the story, places it beyond question of doubt.

NOTE.—It is not easy to fix the date when the phrase "Blue Bucket Mines" came into use. It certainly was as early as 1868, for it is positively known that Stephen H. Meek, the leader of the party of immigrants in 1845 over the route afterwards referred to as "Meek's Cut-off," conducted thirty men that year along that trail in search of the mine of that name, without success.

According to a statement given me by William F. Helm many years ago, whose father, mother, five brothers and one sister and himself were members of the Meek party, the term "Blue Bucket" originated in this way: The Helm wagons, yokes, and many of the camp utensils, including several buckets, were painted blue. At one camp on a tributary of the John Day River numerous small yellow pebbles were found along the water's edge and among the grass roots. An attempt was made to catch some fish, but the current being very swift, the effort failed. Then Col. W. G. T'Vault, Thomas R. Cornelius and James Terwilliger, the latter a blacksmith, conceived the idea of pounding one of the bright pebbles, and, finding it soft, pounded it thin and used it as a sinker on their fish lines. Others did the same. At one of the camps where an experience occurred of the kind here related two blue buckets were left, the Helm family having no further use for them.

None of the company had any idea of gold at this time. Their minds were fully occupied by the effort to get out of the wilderness, as their situation was a very serious one. At length the party reached The Dalles and went down the Columbia River on rafts, all settling in the Willamette Valley.

It will be remembered that gold was discovered in California January 24, 1848, by James W. Marshall, an Oregon pioneer of 1844. News of this discovery reached the Willamette Valley in July following. Soon afterwards a number of the adults of the Meek party of 1845 went to the California mines, and then they became aware that the "pebbles" that had been seen and used as sinkers on fish lines were gold.

Mr. Helm went to the vicinity of Canyon City in 1863, soon after the gold discovery of that year, and always insisted that there or in the region near there was the locality where the gold was found in 1845. That was the opinion of Thomas R. Cornelius also, who at the time of my first acquaintance with him in 1866 was one of the substantial citizens of Washington County, Oregon.—George H. Himes, Curator and Assistant Secretary.



## PACIFIC RAILROAD DATES

May 10 is the anniversary of the completion of the first transcontinental railroad—the Union Pacific-Central Pacific, the “last spike” of which was driven at Promontory Point, 53 miles northwest of Ogden, in 1869. The running time of passenger trains between San Francisco and Chicago thereafter was six and one-half days. This event is a momentous one in Pacific Coast progress. The second transcontinental railroad, the Southern Pacific—Texas & Pacific—was completed in 1882; the third, the Northern Pacific, in 1883. The “last spike” of the Northern Pacific, September 8, 1883, was a grand event for the Pacific Northwest, and great stores of expectation and realization attach to it.

## THE NAME OF MOUNT RAINIER

Efforts to change the name of the snowpeak from *Rainier* to *Tacoma* are continuous in the city of Tacoma. The Portland *Oregonian* ventured to adjust the trouble by suggesting *Mount Roosevelt*, but the old name which Captain George Vancouver applied in 1792 seems as firmly fixed as ever. Several years ago the Legislature of Oregon “changed” *Mount Pitt* to *Mount McLoughlin*, an act appropriate enough since *Pitt* means nothing and *McLoughlin* has lasting significance, but *Mount Pitt* remains in everyday speech around the peak. It is curious to contemplate the persistency of names and sounds in human speech. Science and history show that the sounds of words and the notes of animals are more durable even than mountains. *Mount Tacoma* is euphonious and appropriate, but when one contemplates the long list of ill-fitting geographical names the thought occurs, “Why stop with *Mount Rainier*?” and then the task becomes insurmountable. Common agreement would establish *Mount Tacoma*, but that seems just as impossible now as during the many past years of the effort.

## FREQUENCY OF SLIGHT EARTHQUAKES

Earthquake tremblors are reported frequently from parts of the Pacific Northwest, and each time cause speculation as to the nature of the disturbances. Within the records of the white men, running back eighty or ninety years, there never has been a general or severe earthquake in this region. But the reading of newspaper files shows that slight tremblors have been felt every year in some parts of this large area. A small local disturbance was recorded at Seattle, June 5, 1919. The most frequent area of disturbance has been the Puget Sound region. Probably the severest at Portland occurred October 12, 1877, February 29, 1892, and February 25, 1895; at Puget Sound, March 16, 1904. These quakes caused walls to crack and dishes to rattle and church bells to ring, but did no real damage. The geological youth of the Pacific Northwest and the many fresh volcanic vents indicate recurrent seismic activity, but written history records no violence.

## ANNUAL MEETING OF OREGON PIONEERS

Members of the Oregon Pioneer Association held their annual meeting in the Portland Auditorium June 19, and elected the following officers: J. J. Hunsaker, of Yamhill county, pioneer of 1847, president; C. H. Caufield, of Oregon City, 1853, vice-president; George H. Himes, of Portland, 1853, secretary; William M. Ladd, of Portland, 1855, treasurer. Other members of the board of directors are: John W. Baker, 1853; Miss Ellen Chamberlain, 1857; G. D. Chitwood, 1853. The pioneers were welcomed by Mayor George L. Baker, and W. H. H. Dufur, retiring president, delivered the response. George W. Riddle, 1852, of Douglas County, rendered the annual address. Nathan H. Bird, 1846, presided at the afternoon session. The woman's auxiliary of the association served dinner in the basement of the Auditorium.

## ENCAMPMENT OF INDIAN FIGHTERS

The annual grand encampment of the Indian war veterans of the North Pacific Coast was held at Portland June 18. The veterans adopted a memorial asking Congress to equalize the pensions of the Indian fighters. Officers elected are: Cyrus H. Walker, grand commander; C. W. Wallace, vice grand commander; Otto Kleeman, grand adjutant; Mrs. F. L. Benedict, assistant adjutant; Charles H. Chambreau, grand paymaster; T. Brouillette, grand chaplain; W. R. McCord, captain of the guard.

## THE BATTLESHIP OREGON

Whether the battleship *Oregon* shall be broken up for junk or whether the state of Oregon shall maintain the sea fighter as a memorial is a question that has been active in the newspapers since the government has had to supplant its old war fleet with modern vessels. The annual cost of upkeep of the *Oregon* has been estimated at \$20,000, a sum which has discouraged advocates of the memorial plan. The *Oregon* was built at San Francisco and commissioned there in July, 1896. In 1898 the vessel made its famous voyage of 14,000 miles in 68 cruising days from San Francisco to Santiago, Cuba, to participate in the destruction of the Spanish fleet July 3, 1898. Sister ships of the *Oregon*, the *Iowa*, *Massachusetts* and *Indiana* are to be relegated and broken up, together with the *Kentucky*, *Kearsarge*, *Alabama*, *Illinois*, *Wisconsin*, *Ohio*, *Missouri* and *Maine*. These battleships made up a very powerful fleet fifteen years ago and cost more than \$90,000,000, but are obsolete in competition with newer vessels. The most famous American battleship is the *Oregon*, and there is strong sentiment for preservation of the vessel, but ways and means for paying the expense have not been devised.

## AIRPLANE AND STAGE COACH

The first airplane flight across Cascade Mountains was accomplished June 30, 1919, between Seattle and Ellensburg, 115 miles, in 1 hour, 15 minutes, by J. M. Feters and Sergeant Owen Kissel, army aviators. Airplane flights in the Pacific Northwest have been frequent this year. In connection with the rose festival at Portland, June 10-13, airplanes made numerous trips. The most noteworthy flights have been those between Portland and Sacramento in one of which Governor Ben W. Olcott was a passenger. These speed journeys, at 100 miles an hour or better, covering the distance between Portland and Sacramento in less than six hours, recall by contrast the first speed test between the two cities in 1860, that of the pony express, which consumed seven days of continuous travel night and day in covering the 700 miles, and was hailed as a triumphant feat of speed and endurance. The running time in winter was twelve days.

## MONUMENT FOR CAPTAIN HEMBREE

The ambush and death of Captain Absalom J. Hembree by Indians in the Yakima War of 1855-56, has been a tragic event in Pacific Northwest annals, and the scene of the tragedy will be marked with a monument by the state historical society of Washington. The place where Captain Hembree fell was identified June 22, by W. D. Stillwell, of Tillamook, Oregon, 95 years of age, who accompanied Captain Hembree at the time of the tragedy. The place is five miles from Toppenish, Washington. Others present on June 22 were M. V. Stillwell, who is the son of W. D. Stillwell, W. P. Bonney, secretary of the state historical society of Washington, and L. V. McWhorter and C. H. Newell of Yakima, County.

## MR. TEAL'S "THE PIONEER"

The Pioneer, a memorial bronze statue, the gift to the University of Oregon by Joseph N. Teal, of Portland, stands



on the university campus, where it was unveiled May 22, 1919, by T. G. Hendricks, of Eugene, Oregon. The designer, A. Phimister Proctor, used as his model, J. C. Cravens, a trapper, whom he found on the ranch of William Hanley, in Harney County. Many pioneers were present at the unveiling ceremony.

### EXAMINATION OF NACHESS TRAIL

Examination of the Nachess trail of 1853, by a party of pioneers, for the purpose of choosing sites for markers of the Washington State Historical Society, was accomplished July 13-21. In the party were George H. Himes, Ezra Meeker, C. B. Bagley, Mr. and Mrs. W. M. Woolery, Mr. and Mrs. Elden M. Gordon, W. P. Bonney, Sam W. Wall and Mr. and Mrs. David Longmire. The party traced the route of the trail on the west side of the mountains up to Bare Prairie, some 50 miles northeast of Tacoma, and, on the east side, ascended Nachess River as far as automobiles would go. The old trail through the mountains is almost obliterated and for a distance of fifty miles cannot be followed by automobiles. The party located the site of Camp Montgomery, southeast of Tacoma, the site of the old block-house on Yelm River, and the site of the stockades on Chambers' Prairie.

### MISCELLANY

A pageant of Oregon history, displayed at Salem during commencement exercises of Willamette University, early in June, 1919, was brilliantly successful. The pageant was written by Professor Della Crowder-Miller, and commemorated the 75th anniversary of the university. The display contained 22 episodes besides prologue and epilogue.

Whitman College, at Walla Walla, celebrated its quarter-centennial in its commencement exercises in June.

Umatilla County pioneers held a two days' picnic at Weston early in June, and elected the following officers: M. L. Wat-

son, president; R. Alexander, vice-president; S. A. Barnes, secretary; J. H. Price, treasurer. The sons and daughters of Umatilla pioneers elected the following officers: Amy Cargill, of Freewater, president; Mrs. William Reed, of Athena, vice-president; Mrs. W. S. Price, of Weston, treasurer; Marjorie Bullfinch, of Weston, treasurer.

The annual celebration at Champoege, to commemorate the historic event of May 2, 1843—the founding of the provisional government of Oregon—was held May 3, 1919. The attendance was 1000 persons, and was the largest that has thus far done honor to the annual event.

The first annual reunion of the descendants of Henry and Elizabeth Hewett, Oregon pioneers of 1843, was held at the old home place, seven miles south of Dayton, Oregon, Saturday, July 12. Seventy-five members of the family were present.

The McLoughlin house, at Oregon City, perpetuated as one of the historic relics of Oregon, contains a growing collection of valuable mementoes of early days. The annual meeting of the McLoughlin Memorial Association was held June 30, 1919. W. P. Hawley, the paper manufacturer, was elected to honorary membership. Mr. Hawley gave the house to the city, which caused the structure to be restored and moved to a high site overlooking the Willamette River.

The sixtieth anniversary of the pioneer banking house, Ladd & Tilton, was celebrated at a dinner for the employees at Multnomah Hotel, Portland, June 5, and afterwards at a theater performance in Alcazar Theater. The bank was opened June 1, 1859, by William S. Ladd and Charles E. Tilton at 105 Front Street.

Grays' Harbor Pioneer Association held their annual picnic at Brady June 25, and elected the following officers: President, Elmer Brady; vice-presidents, O. B. Newton, Satsop; J. J. Carney, Aberdeen; Mrs. H. W. Patton, Hoquiam; trustee,

W. E. Campbell, Hoquiam; secretary, Mrs. J. E. Calder, Montesano; treasurer, Mrs. H. B. Marcy, Montesano; chaplain, Rev. Charles McDermoth, Aberdeen; historian, A. C. Girard, Aberdeen; delegate to annual meeting of state society, M. J. Luark, Montesano. W. P. Bonney, of Tacoma, secretary of the State Historical Society, was the principal speaker.

Twenty acres of land at Grand Mound, including the famous "mound," have been deeded to the state by John R. James, pioneer settler of Southwest Washington, and son of Samuel James, the first man to settle in Grand Mound prairie. Other heirs of the James estate, numbering approximately 80, will give money for the beautification of the place, which is now a public park.

The department of history at the Oregon Agricultural College, under Professor J. B. Horner, is preparing a map locating the prehistoric mounds of Oregon. This is being done partly as a result of the recent exploration of the prehistoric burial grounds on the Calapooia by summer school students. Two additional mounds were discovered on the Osburn farm, which makes approximately 30 mounds along the banks of the Calapooia and half as many others on streams near by.

Douglas County, Oregon, residents held a reunion at Portland June 22, 1919, in Peninsula Park, to renew old acquaintances and review events of that part of Oregon. The speakers were: W. H. Brackett, George H. Himes, G. C. Love, A. M. Crawford and George W. Riddle. George C. Johnson was elected president; Lou L. Parker, secretary, and Nancy Drain Singleton, treasurer.

Organization of local history materials will be undertaken at Eugene by a committee of a teachers' conference which held session at the University of Oregon the latter week in June. A. N. French, professor of education in the university, and J. C. Almack, director of the extension division, suggested methods of organization. Dr. H. D. Sheldon, president of the conference, was authorized to name a committee for this work.

Sons and Daughters of Oregon Pioneers on June 18, 1919, elected the following officers: Mrs. Benton Killin, president; H. G. Starkweather, vice-president; Miss Lillian M. Hackleman, secretary. Mr. Starkweather narrated the history of the Oregon state seal, and Robert A. Miller spoke on pioneer fraternalism. Cyrus H. Walker's resolution for equal pensions for soldiers of the Civil and the Indian wars was adopted. The meeting was in Library Hall, Portland.

A memorial park near Hood River in honor of the eight soldiers of the county who lost their lives in the European war, and the returning soldiers of that conflict, is to be established at Ruthton Hill, where O. P. Dabney has given a site.

Linn County pioneers and their sons and daughters held a reunion at Brownsville June 18-20. Speechmaking, picnicing and athletics contributed to the festivities.

Salmon Brown, 83 years old, son of John Brown, of civil war fame, died at Portland May 10, 1919. He shot himself with a revolver on account of sickness and despondency.

Mrs. Eliza Warren, daughter of the missionary, Rev. H. H. Spalding, died at Coeur d'Alene, Idaho, June 21, 1919, and the body was buried at Brownsville, Oregon, June 26, where the remains of other members of the Spalding family are interred. She was born at the Lapwai mission in 1837, and was married to Andrew Warren in 1859. Brownsville's main street is named after the Spalding family.

The 21st annual reunion of the Kelly Clan was held June 28, 1919, at Portland, at the home of Mrs. O. P. S. Plummer on the Dosch road. Interesting features of the afternoon programme were the reading of the family history by Nellie Fawcett and an address by Father Hoberg of McMinnville, who is 92 years of age, and who was well acquainted with the four Kelly brothers. There are now some 200 descendants in Multnomah County.

The Henkle family, of Benton County, Oregon, held its annual reunion at the Wyatt home, three miles west of Corvallis, June 26, 1919, with 162 members of the family present.



# DEATH LIST OF OREGON PIONEERS

APRIL 1—MAY 31, 1919

Compiled by GEORGE H. HIMES

- Anderson, Mrs. A. J., b. Ill., 1839; pioneer of 1852; d. The Dalles, April 12, 1919.
- Bailey, Mrs. Bridget, b. Ireland, 1826; Or. 1857; d. Wedderburn, May, 1919.
- Brown, Mrs. Alice Virginia, b. Or., Aug. 5, 1859; d. Langell Valley, May 9, 1919.
- \*Bettman, Lazarus, b. Ger., 1835; pioneer 1856; d. Portland, May 22, 1919.
- Emerson, Mrs. Mary Jane, b. Ill., 1838; pioneer 1850; d. Cottage Grove, May 9, 1919.
- Fisher, George, b. Or., April 20, 1856; d. Eugene, April 17, 1919.
- Fitzpatrick, Mrs. Margaret Elizabeth McCubbin, b. Or., Apr. 3, 1855; d. Lostine, Apr. 3, 1919.
- Ford, Mrs. Georgiana Percival, b. Olympia, Oct. 23, 1856; d. Olympia, April 15, 1919.
- Gilmore, Charles H., b. Or., Feb. 10, 1856; d. Mt. Pleasant, Or., May 5, 1919.
- Gouly, P. P., b. Mich., 1846; Or., 1846; d. Mt. Pleasant, Or., May 5, 1919.
- Graham, David, b. N. Y., 1836; pioneer 1857; d. Seattle, May 19, 1919.
- Hannum, Wm. M., b. Pa., Aug. 28, 1832; pioneer 1851; d. Josephine Co., April 19, 1919.
- Hendricks, Glen Owen, b. Dallas, Or., June 23, 1857; d. Portland, April 17, 1919.
- Heustis, Mrs. Sarah M., b. Idaho, 1849; d. Portland, Apr. 17, 1919.
- \*Hill, Henry C., b. Mass., 1835; pioneer 1847; d. Orting, Wash., May 11, 1919.
- Holt, Dr. C. R., b. Or., 1859; d. Portland, April 26, 1919.
- Howard, Mrs. Edna Jane Smith, b. Mo., 1841; Or., 1852; d. Albany, May 28, 1919.
- Imbler, Mrs. Margaret, b. Ohio, March 4, 1827; pioneer 1852; d. Roseburg, April 12, 1919.
- Jameson, Mrs. Jane Lady, b. Mo., 1837; pioneer 1853; d. Vancouver, Wash., May 11, 1919.
- Kandle, Wm. A., b. Olympia, 1853; d. Ashford, Wash., May 18, 1919.
- Lane, Mrs. Simon E., b. Or., 1852; d. Roseburg, May 20, 1919.
- Leever, C. T., b.—; pioneer 1850; d. Lebanon, April 9, 1919.
- Lewman, John Amman, b. Ky., 1834; Or., 1852; d. Provolt, March 27, 1919.
- Lindley, James, b.—; Or., 1853; d. Lebanon, Feb. 19, 1919.
- Marks, Mattbew, b.—; pioneer 1852; d. Yakima, Apr. 25, 1919.
- Maxwell, Mrs. Susan Christian, b. 1845; pioneer 1853; d. Noti, Or., May 17, 1919.
- Mosier, Alonzo, b. Ind., 1838; pioneer 1852; d. Oregon City, May 26, 1919.
- McGuire, Mrs. Maria, b. Canada, 1832; pioneer 1852; d. Salem, Apr. 21, 1919.
- McKinney, J. N., b. Iowa, 1838; pioneer, 1845; d. Hillsboro, May 8, 1919.
- \*McNemee, Adam, b. Mo., 1841; pioneer 1845; d. Portland, March 29, 1919.
- Nooning, Mrs. Susan Vickers, b. Ohio, 1849; pioneer 1852; d. Portland, May 7, 1919.
- Payne, Champion T., b. Mo.—; Or. 1852; d. Ashland, Feb. 14, 1919.
- \*Petty, Manville B., b.—1841; pioneer 1854; d. Jennings Lodge, April, 1919.
- \*Raffety, Dr. Charles, b. Ill., 1839; pioneer 1852; d. Portland, May 18 1919.
- Richards Mrs. Mary F., b. Or., 1846; d. near Oakland, Or., April 30, 1919.
- \*Richey, Wm. G., b. Ill.—; Or. 1852; d. Camp Creek, Feb. 23, 1919.
- Richardson, Rebecca Ann, b. Mo., 1838; pioneer 1853; d. Lane Co., May 10, 1919.
- Rickard, John, b. England, 1830; Or. 1852; d. Corvallis, May 10, 1919.
- Robertson, Mrs. R. M., b.—; pioneer 1848; d. Spokane, May 4, 1919.
- \*Rowland, Mrs. Eliazbeth M., b. Ill., Apr. 25, 1841; pioneer 1852; d. Apr. 16, 1919.
- Siefertb, Mrs. Polly G. Bowen, b. Mo., Sept. 21, 1842; pioneer 1853; d. Dallas, Or., Apr. 22, 1919.
- \*Stuart, Alfred V., b. Or. 1853; d. Portland, Apr., 1919.
- \*Thyng, Mrs. Caroline Bozorth, b. Iowa, 1842; pioneer 1852; d. Portland, Apr. 17, 1919.
- Wakeman, Miles, b. N. Y. 1829; Cal., 1849; Or. pioneer, 1851; d. Pleasant City, Apr. 26, 1919.
- Walters, Mrs. Rachel Belknap, b. Iowa, May 21, 1843; d. Portland, May 14, 1919.
- Watkins, J. C., b.—; Or. 1852; d. Eugene, Feb. 12, 1919.
- White, Marion Jackson, b. Mo., 1845; Or. 1852; d. Woodburn, Jan. 29, 1918.
- Whorton, Mrs. L. B. Veatch, b. Ill., 1832; d. near Eugene, Jan. 22, 1919.
- Wilson, Mrs. W. H., b. Mo.; Or. 1843; d. Drain, May 27, 1919.

Only those marked \* were ever members of the Oregon Pioneer Association, which was organized in 1873. All persons are eligible who came to, or were born in, the original "Oregon Country" at any time prior to Dec. 31, 1859, that being the year that the State was admitted to the Union.







"THE PIONEER"



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The Quarterly disavows responsibility for the positions taken by contributors to its pages.

ADDRESS DELIVERED BY JOSEPH N. TEAL AT  
EUGENE, OREGON, MAY 22, 1919, ON THE  
OCCASION OF THE UNVEILING OF  
THE PIONEER

Mr. President, Ladies and Gentlemen:

More than two years have passed since I wrote Judge Robert S. Bean, President of the Board of Regents, of my desire to erect a memorial to the Oregon pioneers and to have it placed on the grounds of the University of Oregon. The letter I then wrote expresses my sentiments and thought so accurately that I can do no better than read it to you today. It is as follows:

"It has long been my earnest desire to express my admiration and respect for the Oregon pioneer. Having given the subject much serious thought, I am now addressing you for the purpose of laying before you and the Board of Regents of the University the plan I have formulated, and to obtain your consent and approval for the carrying out of my idea.

The pioneer represents all that is noblest and best in our history. The men and women who saved the west for this country were animated by the highest motives. They made untold sacrifices and endured hardships of every kind in order that their children might enjoy the fruits of their labor. Their courage, foresight, endurance and industry should ever be an inspiration to the youth of the country.

I therefore propose to erect a memorial, which it seems to me should stand on the campus of our great institution of learning, the University of Oregon, where for years to come the rising generation of Oregon will have before them a reminder of those to whom they owe every opportunity they enjoy.

Accordingly I have commissioned Mr. A. Phimister Proctor, the distinguished American sculptor, to model a statue typifying the real pioneer of the West. It is my sincere desire and hope that, as the genius of Saint Gaudens has typified in imperishable bronze The Puritan, the genius of Proctor will in like degree typify The Pioneer. Should my plan meet with the approval of yourself and the Board of Regents of the University, I would request that at the proper time and in concurrence with Mr. Proctor, a place be designated on the University grounds upon which the monument may be erected."

This day evidences the fulfillment of this desire, and we have gathered together in honor of those to perpetuate whose memory this statue was designed. While it is a matter of greater satisfaction to me than I can express to have the opportunity of testifying in this way to my affection for the pioneers of Oregon, it is the genius of the artist which makes it possible to express in enduring bronze not only the sentiment, but the man. I wish to express not only my sincere admiration for Mr. Proctor's genius, but the thankfulness I feel for his unselfish devotion to the task and for the zeal and spirit which from the inception of the idea to this dedication have animated his work. The sculptor, not only an artist of rare genius, but a man of nature, of the mountains and plains, knowing at first hand the pioneer and his life, his real worth and what he endured and sought, has created a type true to life—the *real pioneer* as we have known him.

This statue is erected and dedicated to the memory of all Oregon pioneers. It is in no sense personal or individual and it is my earnest wish and hope that this fact may ever be kept in mind.

The reasons for selecting the University of Oregon as the



A. PHIMISTER PROCTOR



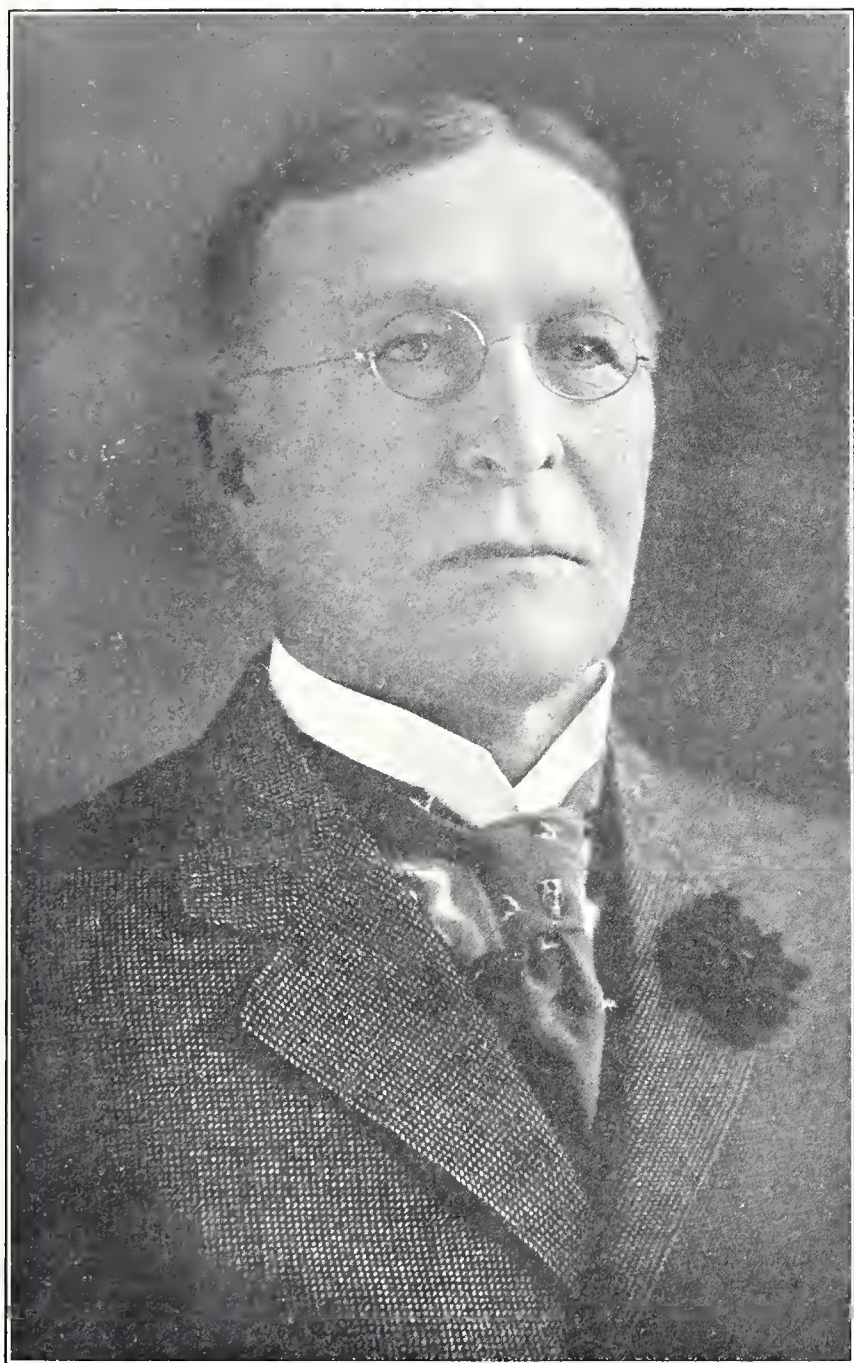


home of this memorial are many. It is sufficient to say that here the Willamette and Mackenzie Rivers join their waters into one grand channel and create this beautiful valley, the paradise to which the pioneer struggled over great mountains and across desert plains, to which he first came in numbers, and in which he first made his home. Here, too, the state which he created has founded its great institution to train its young men and women. No more fitting place than the campus of the University of Oregon could be found for the memorial. Here amid these beautiful surroundings, in this institution of learning, acting as an inspiration to Oregon's young manhood and womanhood, this pioneer in bronze will find a hospitable home in the land he loved so well. I am happy in the thought that I have had the opportunity thus to show my love and admiration for those whose life was largely spent in a work whose greatness and value will be better understood when viewed down the perspective of time. The greatest honor I have is in honoring them. Joaquin Miller thus painted the pioneers :

“I only know that when that land  
Lay thick with peril, and lay far  
It seemed as some sea-fallen star,  
The weak men never reached a hand  
Or sought us out that primal day,  
And cowards did not come that way.”

Mr. President, my share in this very satisfactory enterprise is ended; with this memorial, there goes every good wish for this University, coupled with the sincere hope that those who seek guidance and aid within its classic walls will never lose sight of what they owe the pioneer.





JOSEPH N. TEAL





# QUALITIES OF THE OREGON PIONEERS

## AN ADDRESS

AT THE UNVEILING OF THE STATUE "THE PIONEER" ON THE CAMPUS OF THE UNIVERSITY OF OREGON, AT EUGENE, OREGON, MAY 22, 1919, BY FREDERICK V. HOLMAN, PRESIDENT OF THE OREGON HISTORICAL SOCIETY, AND FORMER PRESIDENT OF THE OREGON PIONEER ASSOCIATION AND OF THE SONS AND DAUGHTERS OF OREGON PIONEERS.

Mr. President, Mr. Proctor, Mr. Teal, the Faculty and Students of the University of Oregon, Ladies and Gentlemen:

I am not on the programme for an address, and I was not aware that I should make any remarks until my arrival in Eugene at noon today. But since I have been asked to do so, I cannot refrain from saying a few things which I have in my mind, for I am a native son of Oregon, and I have been for many years President of the Oregon Historical Society, and I am familiar with the early history of Oregon, its settlement, its upbuilding, and its making, and the kind of people the Oregon pioneers were and are.

Ever since its organization the Oregon Historical Society has been engaged in determining the facts and the truths of history, particularly relating to the history of Oregon. It examines traditions and folklore. It endeavors, as it were, to separate the grain from the chaff. It studies the motives, the ideals, and the acts of people in regard to the settlement and upbuilding of Oregon. It seeks to know the truth. Mr. Proctor in this statue, typical of the Oregon pioneers, has portrayed truth in a way which should give to him the thanks of every student and lover of early Oregon history. This statue is a gift to the State of Oregon by a son and grandson of true and worthy Oregon pioneers. Great credit is due to Mr. Teal for his patriotic and unselfish generosity in making this gift.

The Anglo-Saxon race is a branch of the Teutonic race. It was and is a liberty-loving race. It believes in the protection of life and of liberty and in the rights of property and the pursuit

of happiness. This race has large powers of assimilation, and its great ideas of liberty and of the rights of mankind caused other races to become a part of it, so it became a people as well as a race. In early historic times it made its power felt and for centuries contended for the rights of the people in England, where it had made its home, and finally succeeded in making England a free country, as evidenced by the Revolution and Settlement of 1688 and the policy of the English people ever since. Its instincts and traditions caused some of its people to come to North America to begin and to continue its settlement and civilization. The first of these people came about three centuries ago. Many of them came thereafter from time to time. They landed on the Atlantic Coast and pushed on westward. They soon adapted themselves to conditions and learned self-reliance and how to overcome the difficulties of establishing themselves in a new country, theretofore peopled only by Indians. They continued to push on westward and occupied what are now the states of Kentucky, Tennessee, Ohio, Indiana, Illinois, Iowa, Missouri and other western lands, now the Central States of this country. Their courage, their powers, their self-reliance and their ideals increased as they moved westward. They fought Indians: they cut down forests; they reclaimed wild lands; they established homes, schools and churches. It is of this people that most of the early Oregon pioneers are a part.

The instincts and traditions of the Anglo-Saxon race have ever been to move westward. The star it had followed, which showed the westward course of empire, at last stood and shone over Oregon. Here was a wild land to be made useful and become a part of the civilized world. It was about two thousand miles west of the forefront of civilization in the United States at that time. Between that forefront and Oregon there are great plains, rugged mountains and large rivers to be crossed, a road to be established for them and for others, coming after them, to travel successfully to Oregon—"the land where dreams come true." There were great numbers

of savage Indians to be encountered and forced to respect the rights and property of these immigrants.

The lure of Oregon had appealed to many who had settled in the western states and territories. In May, 1843, without preconcert, but moved by a common impulse, nearly nine hundred men, women, and children met at Independence, Missouri, ready and anxious to start on the long trip to Oregon. Some were poorly equipped for so long, arduous, and perilous an expedition, for they had few precedents. But they were resourceful and filled with an abiding faith in their ability to succeed.

They were courageous folk, filled and moved by great ideals, not that they knew they had ideals, and they probably would have resented any intimation that they had them. But nevertheless they had these ideals and were influenced by them. These pioneer immigrants moved slowly westward, driving the oxen which pulled their wagons until they arrived at Fort Hall, about seven hundred miles east of here. There they were told that it was impossible to take their wagons to the Columbia River. But they were not frightened by this information. The men determined to go on as far as they could, for they were self-reliant, and their wives and daughters had every confidence in these resolute men. Loving arms went around stalward necks, with cheering words and saying: "Where you go we will go with you and help in every way."

It was a momentous occasion. They could have abandoned their intentions to go to the Willamette Valley, and by forced marches, probably, have arrived at their starting point in Missouri before traveling by wagons became impossible the ensuing winter. If they failed to reach the Columbia River probably almost all of the party would have died of starvation or from exposure. There was little game west of Fort Hall. They cut themselves off from all sources of supply. If they failed it would probably have been many years before there was another overland expedition of immigrants to Oregon. It was practically impossible to send large numbers of immi-

grants by sea. The government of the United States did nothing to encourage or to assist the early settlement of Oregon. The peaceful settlement of the Oregon Question, especially by the occupation of Oregon by American citizens, would probably have been impossible. It was a daring determination.

If they had failed! These immigrants of 1843 were intrepid, determined, resourceful, and self-reliant. They were not accustomed to fail in any enterprise they undertook to accomplish.

And so, taking in their own hands the lives of themselves and of their wives and children and their fortunes, they accepted the chances, relying on themselves and their ability to succeed. It was a heroic resolution fully carried out. They surmounted every difficulty. They made roads and crossed great rivers and went over seemingly impassable mountains until they came to The Dalles on the Columbia River, beyond which travel with wagons was impossible at that time. They came down the Columbia River, rescued and succored and assisted to establish themselves in the land they had seen in dreams, the beautiful Willamette Valley, then a fertile wilderness, by that princely great humanitarian, Dr. John McLoughlin, the Father of Oregon. Thus the immigrants of '43 made and showed the way to Oregon for others to follow. This first home-building immigration was followed by successful immigrations, of the same quality of people, in the succeeding years. The coming of these immigrants was the cause of the peaceful settlement of the Oregon Question, which for many years had threatened to embroil the United States and Great Britain in a long and bloody war. The British government feared that the whole Oregon country would be peopled by immigrants from the United States.

And these are the pioneers of Oregon to whom be everlasting praise and glory. The coming to Oregon of its pioneers is one of the most daring movements and one of the most interesting and romantic stories of the settlement and upbuild-



ing of any part of the United States. These pioneers and their qualities, characteristics and ideals Mr. Proctor has exemplified and shown in this statue.

I have not time to go into details or to show how these pioneers upbuilded and made this beautiful Oregon of today, of which we are so proud.

Many of these pioneers have gone to the Great Beyond and those now living will soon follow to honored graves. It is for their descendants to take up the work which these pioneers left unfinished. What they did can never be forgotten.

But the Oregon pioneers did not comprise all of the people of Anglo-Saxon ancestry and heredity in the United States nor all who were influenced by its traditions and instincts. They exert the great controlling influence in the civilization and life of this country. It was their influence which caused the Declaration of Independence to be made and the war of the American Revolution to be fought. They carry on Anglo-Saxon ideas of the rights of life, liberty, property and the right of the pursuit of happiness. All these have been put to the test in the great world war beginning in 1914. The United States is a peaceful nation. But its people are not pacifists. There was, at first, great horror on account of German atrocities. This nation was greatly stirred by the sinking of the *Lusitania*. But that was a British ship and its sinking was not an attack upon the United States, dastardly as was the crime of its destruction and the murder of its passengers. While it was an offense against humanity and against civilization, it was not a cause of war for the United States.

But there came a time when the rights and liberties of this country and of the whole world and their peoples became involved; when as a nation, guided by Anglo-Saxon heredity, instincts and traditions, it was not only proper but necessary that this country should be a participant in the war; that this country should make war so there be world peace; and that the liberty of the whole world should be made safe. And

then we did not hesitate to do our duty. The nation was united in its determination that the war should end against Germany, and our people pledged their all that success might be attained. The young men gave themselves to fight its battles. The older men contributed their moneys. The Government Liberty loans and Victory loans were subscribed and oversubscribed in many parts of the country by people of all classes, by men and women, and even by children. The young women gave their services as nurses. And all over the country women, old as well as young, willingly and earnestly engaged in Red Cross work and other desirable and necessary war work and activities for the support, comfort, and health of the soldiers and sailors of America and for the successful conduct of the war. The Anglo-Saxons were true to their traditions. This universal response is the glory of our nation.

When an American general, at the tomb of LaFayette, stood at attention and saluted the place where the body of America's great friend is buried, he said: "LaFayette! we are here." It was an acknowledgment that America would pay a debt of honor which it owed to France. But that was only a part of the object of our entering into the war. There was the world's liberty at stake. The assassins of free government were to be conquered and to be subdued. And nobly did our boys do their part.

The armies of France for nearly four years had fought nobly, bravely, gloriously. But France was almost bled white. They had sworn to die in the last ditch and they were perilously near the eastern bank of that ditch. Although they were fighting desperately they were being slowly forced back and were nearly overwhelmed. Their cry was: "When will the Americans come?" And the Americans came and nobly did they act. They may have lacked somewhat in military discipline, somewhat in *esprit de corps*, but they pressed on and fought with a dash and an intrepidity which surprised the Germans. They were not to be denied. Had they been commanded and led by God's Archangels of Vengeance and of

Victory; had they been inspired by the specter of Joan of Arc, clad in armor, with flashing sword in hand, mounted on a spectral grand war horse, urging our boys on to victory, they could not have fought more bravely or more effectively. But they did not need to be so commanded or led or inspired. They were actuated and impelled by centuries, nay more, by thousands of years of Anglo-Saxon heredity, instinct, tradition, and courage. And they had it in their hearts.

When the Americans took part in the war it was the beginning of the end of the war. At Contigny, at St. Mihiel, at Soisson, at Chateau Thierry, at Belleau Wood, at Argonne forest, and elsewhere they showed their quality and their desire and intention and ability to succeed.

The liberty-loving branch of the Teutonic race overcame the liberty-destroying and autocratic branch of that race. The Hun met his master and was vanquished. The world was made safe for democracy.

And Oregon boys were there, and nobly did they do their part. Many of them are worthy descendants of noble Oregon pioneers. They were true to the genius and traditions of their race. "Oh, when will their glory fade!" Never, while the history of this war is known. As the Oregon pioneers showed their peaceful qualities in coming to Oregon and in its settlement, its upbuilding, and its making, so their descendants showed their virtue, and their fighting and heroic qualities in this war. Their actions show that the race has not degenerated.

Mr. Proctor, with his genius, has perpetuated all these qualities in this statue, and they will be recorded forever in history.

The Anglo-Saxon qualities and ideals, its traditions and instincts, its love and support of the rights of life, of liberty, and of the rights of mankind will survive even the downfall of this republic and will endure as long as the human race.

The human race from its beginning has always been interested in monuments and statues as work of art, especially when they typify great events and manly qualities. The adoration of statues as deities is forbidden. But it is impossible to

forbid the veneration of that which moves or touches the human heart. Could even divine power prevent the veneration of the graves of our ancestors, our relatives, our friends, and those of the world's great men and women?

This statue symbolizes and immortalizes in a remarkable way the Oregon pioneer and his qualities—his courage, his determination, his instincts and his high ideals and those of the race or of the people of which the Oregon pioneer is a fine specimen and example. Let everyone, and especially the young men and young women who are now and who will be students of this university, observe and study well this statue, and thus learn and appreciate what the Oregon pioneers—the founders of Oregon—were and are. Let them strive to emulate the qualities and virtues of the Oregon pioneers and to respect and to venerate what they hoped, what they dared, what they wrought, and what they accomplished.



## THE BRITISH SIDE OF THE RESTORATION OF FORT ASTORIA.

KATHARINE B. JUDSON, M. A.

The object of history, as the writer understands it, is to teach wisdom for the future from the successes and mistakes of the past. It is to tell the facts of the past so honestly as to do justice to both sides, and in order to do so, it is obvious that the mistakes of one's own country must sometimes be brought to light. Otherwise, one takes the German point of view that whatever one's own country does is morally right.

The restoration of Astoria is a case in point. With an element of the ludicrous in it, in the visit of the *Ontario*, there is also an exhibition of devious, winding, political manoeuvres by John Quincy Adams which one would rather hide. Writers have heretofore taken the point of view that the restoration was gained by American cleverness as against British intrigue, and therefore Adams is praised.

There is no truth in that point of view. Not one statement could the writer find, even in the private notes of the British Foreign Office officials to each other, that would indicate the slightest intention of outwitting America in the claim for the Northwest Coast and the Columbia River.

From July, 1913, to August, 1914, (being caught in England by the war,) the writer went through some seven hundred volumes in the British Public Record Office, including diplomatic correspondence, Colonial and Foreign Office reports, Admiralty reports, ships logs, and consular reports, from 1790 until 1867, which would have a bearing on Oregon history.

This last date, be it noted, is extraordinary. The usual permission granted to qualified scholars closes with 1837. When the writer made the remark, in a seminar in the University of London, that she intended asking for extended permission for the records until 1846, she was quickly assured by two English college professors of history that such permission was

more than doubtful. She made the application, however, through the correct channels, and permission was received "as requested." But on searching the volumes through the 1840s, she found that in the San Juan controversy, many papers belonging to the Treaty of 1846 had been taken out of their proper volumes and used as enclosures in later ones. Many important records were missing upon reaching the end of the 1846 records. She, therefore, in trepidation, asked permission of the official in charge of this special "government room,"—not the usual Round Room—if the permission from the Foreign Office would allow her to look through later volumes for the missing papers of the 1840s. He answered "No," very courteously, but very positively, adding he would look up the permit. With an amazed face he then returned and reported that the Foreign Office had failed to set a date of limitation upon the permit and therefore I was free to search to present date if I chose. He added that it was the first time he had ever known the Foreign Office to make such a mistake—but Oregon history will profit by it.

In addition to these unusual privileges, the writer had the permission of the late Lord Strathcona, Governor of the Hudson's Bay Company, to search the archives of the Hudson's Bay Company, and many a day she spent in His Lordship's unoccupied office in Lime Street, searching through the records, journals, reports and correspondence, of the famous old English company. The results given here are rather more as an advance paper upon the history now being written by her, than as a final settlement of the whole question.

It must be remembered, in all Oregon history, that the bitterness of America towards Great Britain was intense. Not only was the Revolution fought on American soil, with suffering unknown to the English people, many of whom did not approve of this war by their foreign king, but the hatred following that had not died out before the War of 1812 was on, and in this war, as in the other, the Indians had joined the more tactful British rather than the aggressive Americans

who were taking their lands away from them. The Americans tried, indeed, although almost in vain, to use the Indians against the British; but they did not know how to manage the redskins chiefly because of their own aggressiveness.

And that aggressiveness showed itself continually towards Great Britain. British diplomats wrote home, from Washington, in despairing tones, "The aggressiveness of these Americans!" But the Americans were crying,—and clippings attached to the diplomatic letters prove it,—"The aggressiveness of Great Britain!" "Like father, like son." John Bull and his son Jonathan were so exactly alike they could not possibly understand each other—until each had mellowed, and time and distance had softened bitter feelings.

And though this may seem far afield, in it lies the explanation of much of Oregon's history, and the threat of a third war over the Northwest Coast of America.

In 1804—the writer cannot locate the citation at the moment, amongst a mass of papers,—the North West Company wrote to the Colonial Office, expressing their determination to explore to the Pacific, and asking that they be given the monopoly of any route found across the Rocky Mountains and to the western ocean. Such a monopoly was refused. In that same year, be it noted, Lewis and Clark started across the continent, through old-time Louisiana, and the southern border of the Oregon Country which lay beyond.

In 1807, David Thompson, long hammering at the difficulties of the Canadian Rockies, unsupported by his Indian-fearing *voyageurs*, and actively opposed by surrounding tribes who feared their enemies west of the Rockies would thereby gain trading goods and guns, suddenly found his way unopposed. The Indians, so he states,\* had gathered around the "headwaters of the Mississourie," expecting the return of the white men that year. Had Lewis and Clark returned, or other white men appeared, doubtless there would have been a battle, or many gifts to avert one. So Thompson crossed the Rockies

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\*F. O. 5, Vol. 441.

and made his way that year, and for several following, around the headwaters and upper reaches of the Columbia, arriving at the mouth of the Columbia in July, 1811, a few months after the arrival of Astor's men.

It is clear, in studying fur trade history in its entirety, that Astor's plan of an overland route, with posts on the Columbia or the Pacific, was not so new or so brilliant as usually credited to "a German person, named Oster," as he is described in a letter of the time. Nor was his outlay of money more daring than that of the North West Company. Nor was his plan of operation very different in idea, though with better financial backing, than the plan of Captain John Meares, half-fraud though Meares was. The laudation of Astor has always seemed exaggerated to the writer.

The British, meanwhile, had in their own eyes a clear case to the ownership, or possession, of the North West Coast. They, aside from the Spanish, were the first to explore, as well as to discover; and the first to trade. America followed more than a boat's length behind; and American traders had been on the coast only a year when Spanish claims were settled so far as Great Britain was concerned, without protest or question by America, in the Nootka Sound Convention. As to the actual discovery of the river, Meares's record was confusing: on approaching the "bay," he says he "steered in,"—meaning "steered in *towards*." And upon beating a retreat, he says he "steered out,"—he did, but without steering in. Broughton, representing an official exploring party, in his chagrin and attempt to rob Gray of the credit due to the first crossing of that bar, claimed that he was the first to explore the "river," and that added to the confusion. If the exploration of fur traders could count for national claims, then the British were first through Meares's claim of having "steered in,"—three years ahead of Gray. But if fur traders did not count, then Vancouver's expedition was the first, and here again was Broughton's claim.

"The discovery of the Columbia is lost in obscurity," wrote



one Foreign Office official to another, in a private memorandum,—and it was. Gray's fur-trading log was not located by the Government until 1817,—the summer the Ontario sailed. When it was looked up through the ship's owners, an affidavit was made only of that fortnight of entering and trading in the river, and the exit. The Government did not even claim the log,—a mistake as against Vancouver's official, published reports, sanctioned and recognized by the British Government. When in 1837 tension had increased, and the American Government searched for Gray's log again, both he and his wife were dead, and the niece to whom he had left the treasure had used the log for wrapping paper! So far as Government records went, there was plenty of obscurity, and the configuration of the coast, the shape of that large bay-like mouth of the river, and the bars, seem not to have been comprehended by either government to any degree.

The sale of Fort Astoria is too well known to need comment, aside from the fact that almost invariably there is omitted the statement, as given by Alexander Henry, (in his *Journals*, ed. by Coues), that Wilson Price Hunt, after an investigation of the prices at which the fort and furs were sold, assented to them and thus sanctioned the sale. Without his approval the arrangements made by McDougall for the sale could not have held; so the charge of treachery seems quite unfounded for this, as well as for other reasons.

But with the war on, the North West Company's nudging of the British Government, asking for a warship to capture this post, brought the matter to the attention of Colonial officials and other British statesmen. The Americans were mere squatters on the Columbia from the British point of view, and hardly was the fort sold, on the Columbia itself, and Captain Black's reports sent in cipher overland to Canada, and to London,—this being the quickest route,—than plans were being made to colonize the North West Coast. By discovery, exploration, trade and contiguity to Canada, the British

considered it theirs. It only remained to make America see reason. Spain's claim had been practically settled.

On July 4th, 1814, William Pitt sent some notes to Lord Castlereagh<sup>1</sup> which he called: "Observations on a pamphlet entitled, 'A Compressed View of the Points to Be Discussed in Treating with the United States of America,' with supplementary remarks." In these notes Pitt suggests the desirability of a treaty with Russia, giving her all north of 58°, (the entrance to Cross Sound), and perhaps Cross Sound to the Frozen Sea, or a line east to Mackenzie River from its mouth, Slave Lake, Slave Lake to Athabasca Lake, and due west to Cross Sound. In this way, he thought, Russia's territory would be convenient to her Asiatic possessions, and the most advantageous part of the Coast would be secured to Great Britain from 58° *to the Columbia at 46 degrees.*

It has usually been thought that the restoration of Astoria gave the impetus to the Columbia as a line of demarkation, even by a very recent writer.<sup>2</sup> But it is clear that Pitt, if he regarded Great Britain as having full claim to the Californian line, did not intend to exclude the Americans entirely from the Pacific coast line.

Pitt's plan covered the following points: For protection and the advancement of commerce, and especially the fur trade, he thought there should be a line of internal communication across the continent. That there was one, he seemed not to know. The British fur traders did not always notify their government of all exploration made by them. At Nootka Sound, Pitt would plant a colony of "useful and industrious British subjects," with a governor, supplying them from the Sandwich Islands, China, and New South Wales. These colonists were to form a Provincial Corporation, with a small naval force to check piracy. Clergymen were to be sent there for the settlers and missionaries for the Indians. He refers to Vancouver's recommendations in Book 4, Chap. 9. The advantages would be: British commerce, the propagation of

<sup>1</sup> F. O. 5, Vol. 103.

<sup>2</sup> Oreg. Hist. Quar., Dec., 1918, p. 277.

Christianity, and the general civilization of extensive and unenlightened British possessions.

A week later, July 11, 1814, William Pitt sent a second note to Lord Castlereagh on this matter.<sup>3</sup>

The reduction of the navy and army, he thought, would give good selections for colonists. These should be young men of the best character, soldiers and sailors, married, with not more than two children to a family. Each should be skilled in some trade or calling useful to a colony. Care must be taken in the selection of officers for defence, and for general policy of the colony.—married men, he thought, with some property. The colonists were to engage in trade, fisheries, and commerce, as well as to explore the country and its resources. The precedent for such action had been set by Russia, after the death of Peter the Great, in ascertaining the resources of the country and the people. Many hints, Pitt thought, could be obtained from the Lewis and Clark reports, and from Müller's report on the Russian people. The selection of colonists should include some men of science, skilled in natural history, mineralogy, etc. He suggested as a leader a Mohawk chief, educated in Scotland, of high character, well-informed, master of the English language, an Indian, yet warmly attached to Great Britain. Pitt was sure Sir Alexander Mackenzie, the North West Company, and the Hudson's Bay Company, would all aid in such a scheme.

There was great overcrowding in England at that time, and economic suffering was great. This may have been at the bottom of Pitt's plan; but nothing seems to have come of it. It is likely that the Government felt more inclined to aid colonists to points in eastern Canada, where safety was greater and expense much less.

The Treaty of Ghent was signed Christmas Eve, 1814, at the little Flemish town of that name. The Columbia River was not mentioned in the treaty. Shortly after their return from Ghent, Lord Bathurst told Simon McGillivray, that "re-

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<sup>3</sup> F. O. 5, Vol. 103.

quiring from the Americans any recognition or guarantee of His Majesty's rights thereto, might tend to cast doubt upon a title which was already sufficiently clear and incontestable." [See entire letter below.]

And James Monroe, for America, had written to the plenipotentiaries, under date of 22nd March, 1814, "On no pretext can the British Government set up a claim to territory south of the northern boundary of the United States. It is not believed that they have any claim whatever to territory on the Pacific Ocean. You will, however, be careful, should a definition of the boundary be attempted, not to countenance in any manner, or in any quarter, a pretension in the British Government to territory south of that line."<sup>3a</sup>

So the road to difficulties lay wide open. Hardly was the ink dry on that Treaty of Ghent than John Floyd of Virginia brought in, 1815, the first of his annual bills for the occupation of the Columbia. The bill did not reach a third reading.<sup>4</sup>

That same year, 1815, Admiral Porter was urging the exploration of the Pacific.<sup>5</sup> Two frigates, the *Guerrière* and the *Java* were to have been placed under Porter to explore the Pacific and the North West Coast. This was Admiral Porter's own idea, outlined in a letter written to John Madison, then President. The expedition was never sent out; the idea was revived again in the late 1820s, a commander and ships assigned, but actually the scheme was carried out only in 1840 by Commander Charles Wilkes.

But the race for the possession of the North West Coast had begun under governmental sanction. No longer was it merely a question of the fur trade.

On July 18th, James Monroe sent a message to Anthony St. John Baker, then British *Chargé d'affaires* at Washington, following it up by a letter evidently requested by Baker: [Monroe to Baker]<sup>6</sup>

<sup>3a</sup> Bancroft, North West Coast, Vol. 2, pp. 294-5.

<sup>4</sup> F. O. 5, Vol. 157.

<sup>5</sup> F. O. 5, Vol. 157.

<sup>6</sup> F. O. 5, Vol. 107.



“Department of State,

“July 18th, 1815.

“Sir,

“It is represented that an expedition which had been sent by your government against the post of the United States established on Columbia River had succeeded in taking possession of it. By the first article of the Treaty of peace, it is stipulated that all territory, places, and possessions whatsoever taken by either party from the other during the war, shall be restored without delay, with the exception only of the islands on Passamaquoddy Bay, which should remain in the possession of the party in whose occupation they then were, subject to the decision provided for in the 4th article. As the post on the Columbia river was taken during the war, and is not within the exception stipulated, the United States are of course entitled to its restitution; measures will therefore be taken to occupy it without delay. It is probable that your Government may have given orders for its restitution; to prevent, however, any difficulty on the subject, I have to request that you will have the goodness to furnish me with a letter to the British Commander there to that effect.

“I have the honor to be

&c., &c., &c.,

James Monroe.

“To Anthony St. John Baker, Esq.,  
&c., &c., &c.,

The next day Baker addressed the following letter to Lord Castlereagh.<sup>7</sup>

“Washington, July 19, 1815.

“My Lord—

“Mr. Munroe having requested an interview with me at the Department of State, I accordingly waited upon him at the time appointed.

“He stated he was desirous of speaking to me upon one or two points, the first of which related to the establishment

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<sup>7</sup> F. O. 5, Vol. 107, No. 24.

which the United States had possessed before the war on the Pacific ocean at the mouth of the Columbia River, but which had been broken up by a naval force, sent by the British government for that purpose. He conceived that it fell within the meaning of the first article of the Treaty of Ghent, and ought to be restored, for otherwise it would have been particularly excepted in the treaty as had been the case with the Passamaquoddy Islands, and requested to know whether I agreed in that opinion.

"I replied that I had not considered the subject which was unexpected by me; that in fact, I did not immediately call to mind what was the result of the expedition to which he alluded, and was not aware that any persons whatsoever had been left upon the spot who could affect the restoration required, should the case be thought to come under the treaty, but that I was ignorant of any transaction between the two Governments which recognized the claim of the United States to any part of the coast of the Pacific ocean.

"He did not state the foundation on which the claim to this territory rested insisting merely upon the fact of its having been captured from the United States during the war which brought it within the Treaty \* \* \*" [Omission on the fishery question.]

"Mr. Munroe \* \* \* led me to expect that he would make a written communication \* \* \* relative to the restoration of the settlement on the Columbia River \* \* \* [Omissions on fisheries.]

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"P. S. Since writing the above, I have received Mr. Munroe's letter relative to the restoration of the settlement on Columbia River, a copy of which I beg leave to enclose. It is my intention in my reply to refer him to Rear Admiral Dixon, who commands in those seas.

A. B."

Five days later, Baker sent the following answer to Secretary Munroe:<sup>8</sup>

“Washington, July 23, 1815.

“Sir:

“I have had the honor to receive your letter of the 18th instant acquainting me that it had been represented to the American government that a British force sent for that purpose had succeeded in taking possession of the United States establishments on Columbia River, and claiming its restoration under the words of the 1st article of the Treaty, upon the ground of its having been captured during the War; stating likewise that His Majesty's Government may have given orders for its restitution, but requesting with a view to prevent any difficulty on the subject, that I would furnish a letter to that effect to the British Commander there. As I have received no communication on the subject of these orders from His Majesty's Government, you will readily, I am convinced, perceive the unpracticability of my forwarding a letter of this nature; and although it is believed that the post in question has been captured (of which, however, the American Government does not appear to have any certain information on which to ground the claim of restitution) yet another point equally essential remains in great uncertainty, viz: whether any persons whatsoever were left to retain possession of it. My impression is that the establishment was broken up, and the persons found there brought away. Vice Admiral Dixon, however, the Commander in Chief of His Majesty's Naval Forces on the Brazil Station, within whose command the Pacific Ocean is included, is no doubt in possession of every necessary information in relation to this post, and will be able to communicate on the subject with any authorized agent on the behalf of the United States \* \* \* [Omissions on other subjects.]

Baker also wrote, on July 24th, 1815, to Vice-Admiral Manley Dixon, in charge of the Pacific; and another letter went post haste to Sir Gordon Drummond, Governor of Canada,

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<sup>8</sup> F. O. 5, Vol. 107.

asking him for information which might be secured from the North West Company. The inquiry went to William McGillivray, but his brother Simon happened to be in Canada, having just arrived from England (see letter below, dated New York, November 15, 1817,) and together the Nor'westers made their answer. A copy (checked against the dateless original) with a subsequent note from Simon McGillivray, dated March 23rd, 1822, is used.

The explanatory note is given first, then the report of 1815:<sup>9</sup>

*"Appendix*

"The Statement of which the following is a Copy was drawn up at Montreal in 1815, at the request of Sir Gordon Drummond, who had been applied to by the British Chargé d'Affaires at Washington for information on the subject of the settlement at the Columbia River for it seems that even at that early period the American Government took a very different view of the case from that which has been expressed by Lord Bathurst and from the ulterior measures of Government it is evident that they (the Americans) have carried their point as far as the restitution of Fort George.

"The opinion given by Lord Bathurst and by Mr. Gouldburn after the ratification of the Treaty of Ghent are perfectly in my recollection, but it is of little use now to refer to them further than to show how the American Government succeeds in establishing points and obtaining concessions.

(Signed) Simon McGillivray."

London, 23rd March, 1822."

*"Appendix*

"Statement relative to the Columbia River and adjoining Territory on the Western Coast of the Continent of North America. [1815]

"The claim of Great Britain to the Sovereignty of a considerable part of the Northwest Coast of America was orig-

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<sup>9</sup> C. O. 6, Vol. 6. Original was taken from its place and used as an enclosure, found in F. O. 5, Vol. 123. Checked against the duplicate used.



inally founded from rights derived from the Discovery of the Country by Sir Francis Drake who in the reign of Queen Elizabeth visited the Northern part of California which country he called New Albion, and of which he took possession in the name of his Sovereign. Since that time the claim has never been relinquished although the Spaniards have been allowed to encroach upon the country in question, by extending their settlements to the Northward of the place whereof Drake had taken possession, yet still the Country situated to the Northward of the Spanish Settlements was always claimed by Great Britain and the claim was tacitly admitted if not publicly recognized.

"This early right of discovery is, however, important only in a discussion of claims with *Spain*; for as to any claim which may be set up by the United States of America, it will be easy to find rights prior to theirs without going back further than the Reign of his present Majesty. Captain Cook's repeated visits to that Coast and his taking renewed possession thereof in His Majesty's Name before the Americans became an independent people, is surely a sufficient title against *them*, and the occurrences at Nootka Sound in 1789 and the Armament against Spain in consequence of the aggressions committed upon British Subjects on that Coast, afford ample proof that the possession thus taken was not meant to be merely a nominal possession but it was considered by the Government of that day a matter of such importance as to afford a sufficient cause for going to war with Spain.<sup>10</sup>

"Subsequent rights of Discovery, also prior to any that can be claimed by the United States may be adduced as a further confirmation, if any were wanting, of the Title of Great Britain to the Territory in question. In the year 1792 Sir Alexander McKenzie, then a Partner of the North West Company, explored the Country beyond the Rocky Mountains and was the first who penetrated to the Pacific Ocean. *He* also took pos-

<sup>10</sup> [Note by McGillivray]: Reference may be particularly had to the negotiation upon that subject with the court of Madrid in the year 1790 and the convention of 28th October of that year, which was the result of these negotiations and of the armament referred to.

session of the Country in the name of his Sovereign, and previously, in 1791 [1792], Captain Vancouver had surveyed the Coast and the River Columbia from its mouth to the falls, which are 200 Miles from the Sea. Soon after Sir Alexander McKenzie's Voyages, the North West Company established Trading posts in the Country beyond the Rocky Mountains and upon the head Waters of the Columbia River. So that besides the repeated Acts of taking *formal* possession, British Subjects have for above Twenty Years been in actual possession of the Interior of the Country in question and have maintained the same uninterruptedly.

"It was only about two years ago that the Government of the United States began to set up pretensions<sup>11</sup> to the North West Coast; for until after their purchase of Louisiana from Bonaparte they had never possessed or had even claimed any Territory to the Westward of the Mississippi; but upon making the purchase of the Province of Louisiana and finding that its Geographical Boundaries to the Northward and Westward had never been expressly limited or defined, they immediately took advantage of this circumstance to claim Boundaries as extensive and indefinite as possible; and without waiting to have the matter of right investigated or ascertained they hastened to take possession of the Country so claimed by them, intending doubtless when they once had taken possession to maintain it whether right or wrong. With a view, therefore, to extend their territorial claims across the Continent to the Pacific Ocean and establish a communication therewith through the Rivers Mississourie and Columbia, the American Government in the year 1806 [1803] fitted out an expedition to explore the Country under the Command of Captains Lewis and Clarke, who proceeded to the head of the River Mississourie thence across the Rocky Mountains to the River Columbia and so down to the mouth of that River from whence they returned [1806] by the same route.

<sup>11</sup> Throughout this diplomatic correspondence, *pretensions* is used with the meaning of *claim*, not with the more sinister meaning now more usually attached to it.

"In order to give the Expedition as much as possible the Air of a Voyage of Discovery, and to make it appear as if they were exploring and taking possession of an unknown Country, though in fact the Country in the Interior was well known to the Traders from Canada, the Americans as they went along, bestowed new Names on Rivers, Mountains, &c., such as Jefferson's River, Madison's River, and so forth, forgetting or affecting to forget that the Columbia River had already been surveyed by Captain Vancouver and that a route across the Continent to the Pacific Ocean had already been traversed by Sir Alexander McKenzie, both of whom as well as Captain Cook, had taken possession of the Country in the name of His Majesty as hereinbefore mentioned.

"Uniting this project of the extension of Territory, with another favorite object, the obtaining possession of the Fur Trade, and detaching the Indian Nations from their partiality to the British and Canadian Traders, the American Government, soon after the return of Captains Lewis and Clarke, established a Chartered Company at New York to prosecute the Fur Trade of this New Country under the name of the Pacific Fur Company at the head of which was Mr. John Jacob Astor of New York and this Pacific Fur Company commenced their operations in the Summer of 1810, when Ships were sent to the Coast, a Fort Built at the mouth of the Columbia River, the Country taken possession of as American Territory, and named *Astoria* and the rights of Great Britain disregarded.

"Representations upon this subject were from time to time made to His Majesty's Government by the North West Company's representatives in London. Upon this subject they have had the honor of conferring with several of His Majesty's Ministers<sup>12</sup> at different times and they all expressed their opinion that the country in question belongs of right to Great Britain and that the United States had no just claim whatever

<sup>12</sup> [Note by McGillivray]: The ministers particularly alluded to as having given decided opinions on the subject are the Earl of Harrowly, the Marquis of Wellesley, Lord Viscount Castlereagh, Earl Bathurst, Mr. George Rose, etc., etc., etc.

to the possession of it, but still no measures were for some time adopted by Government to interfere with their then new Establishment at the Columbia River, and this forbearance may be imputed to the following causes, viz. viz. Ist. The object was remote and possibly considered of less importance than it would have been under different circumstances. The Country was engaged in War with numerous and powerful Enemies and Government was doubtless unwilling to add to their number by quarrelling with America or adding to the causes of quarrel already existing.

"The North West Company had in the meantime extended their Trading Posts across the Mountains to the Pacific Ocean, and it became necessary to send their people Supplies by Sea from England, but they had previously applied to Government for a Charter or Grant of the Trade of the Country to be thus supplied, and to the East India Company for permission to carry its produce to China, and thus Two Years were occupied by these applications and preparatory arrangements.

"This was the state of matters at the commencement of the late War with the United States, when at length Government resolved to interfere in the matter. The American Company was in possession of a Fort or Trading Post at the mouth of the Columbia river and also of some Posts in the Interior. The North West Company had established several Posts in the Interior, and had sent a party to proceed to the Coast in the summer of 1813, to meet a Ship with Supplies from England which was fitted out in the fall of 1812, and which must have proceeded on her destination even without the protection which Government afterwards granted but ultimately the protection sought was obtained.

"The Phoebe frigate and the Cherub and Raccoon Sloops of War were sent around Cape Horn and the Raccoon was sent to the Columbia, to destroy the American Establishment and to take possession of the Country as British Territory. From the detention which had occurred in the sailing of this Expedi-



tion from England, their arrival at the Columbia was much later than had been contemplated, and [than] arranged with the North West Company's people who had proceeded to meet them from the Interior and who reached the Sea in August, 1813, while the Raccoon did not make her appearance until the month of December following, and the North West Company's ship the Isaac Todd not until April, 1814. The People from the Interior therefore despairing of the arrival of their expected Supplies and Support by Sea, found it necessary to make the best arrangement in their power with the people whom they found in possession of the Country. Many of these though Partners or Servants of the Pacific Fur Company were British subjects and would not fight against their Country, and learning of the American War inclined them to change sides. The Americans were not sufficiently strong to defend their Fort in the event of this defection taking place, and they were under apprehensions from the expected arrival of the Men of War. The result was an arrangement by which the Americans agreed to retire from the Country and to sell the Goods which they had at their Fort which the North West Company's people purchased, and thus when the Raccoon appeared in December, 1813, she found the place in possession of Friends and her Officers were not a little disappointed in their hopes of prize Money. Captain Black of the Raccoon once more took formal possession of the Country in His Majesty's name and called the principal post Fort George, under which name it is now held by the North West Company.

"It is evident from this statement that Fort George is not a Conquest the restoration of which the American Government are entitled to claim under the 1st Article of the late Treaty, nor could it have been so considered by the framers of that Treaty for one of the representatives of the North West Company had the honor of an interview with Lord Bathurst on the subject after the ratification of the Treaty was known and not long after Mr. Gouldburn's return from Ghent; when his Lordship declared decidedly that the Country in question

was not considered as a Conquest to be restored under the Treaty, but as a British Territory to which the Americans had no just claim, and the reason which his Lordship assigned for this country not being mentioned in the Treaty was, that, requiring from the Americans any recognition or guarantee of His Majesty's rights thereto might tend to cast doubt upon a Title which was already sufficiently clear and incontestable."

The many mistakes in the above report, both as to facts and dates, are no greater, if as great, as those made in speeches in the American congress. On both sides they indicate the lack of knowledge prevailing and the resulting confusion.

## THE FEDERAL RELATIONS OF OREGON—VI

By LESTER BURRELL SHIPPEE, Ph.D.

### CHAPTER XII

#### TERRITORIAL ORGANIZATION

From all outward appearances there was nothing to prevent the Twenty-ninth Congress from proceeding to the completion of the work for Oregon when it convened in its second session in December, 1846. While it was expected that there might be some angry reverberations from the storm of the previous session, no repetition of that hurricane could occur for the question of the boundary was permanently settled. It now remained for Congress to make those customary provisions for territorial organization, surveys and land disposition, Indian regulation and the like which had so often been before Congress with other portions of the public domain. To this end Polk included in his second Annual Message a brief recommendation calling attention to the remaining needs of Oregon.<sup>1</sup> The Secretary of the Treasury also mentioned the desirability of extending the revenue laws of the United States to Oregon for, as he pointed out, there might easily be inaugurated an illegitimate trade in goods from the Orient and elsewhere which would affect the more settled portions of the Union. He also adverted to the advisability of land grants; "with a system of liberal donation of tracts of land in Oregon sufficient for farms to settlers and emigrants, this highly interesting portion of the Union would soon contain a considerable population; and near and convenient as it is to Asia, its commerce would rapidly increase, and large revenue accrue to the Government."<sup>2</sup>

The Indian Commissioner, in his report to the treasury department, pointed out the exposed condition of the American citizens in Oregon. He mentioned the fact that the trade relations of these Indians of the Northwest were chiefly with the

<sup>1</sup> *Globe*, XVI, 10.

<sup>2</sup> *Niles Register*, 9 Dec. 1846.

Hudson's Bay Company, and since there was intercourse between the bands of natives north and south of 49° it would be very easy for persons inimical to the United States to excite them to hostility towards Americans. In view of conditions the department, soon after the adjournment of Congress the previous summer, had assumed the responsibility of appointing as subagent of Indian affairs an American citizen resident in Oregon.<sup>3</sup> This gentleman had been instructed to visit the different bands and endeavor to promote a feeling of friendship toward the United States and its citizens.

President Polk, in framing his Message, had also had in mind a recommendation that Congress provide for the survey and marking of the boundary between the possessions of Great Britain and the United States, but he had stricken out this paragraph on the advice of Buchanan, who told him it would revive another heated discussion of the international issue. Moreover, Buchanan added, it was well to recall the long delay and great expense of surveying the Northeastern boundary, for similar conditions might arise in the Northwest.<sup>4</sup>

Polk's recommendation for territorial organization was referred to the appropriate committees of each house and at an early date bills were reported. In the Senate, Breese, and in the House, Douglas, for the Committee on Territories, brought in measures for extending the laws of the United States over Oregon and for creating a territorial government.

The House took action first, on the eleventh of January.<sup>5</sup> The bill, in the ordinary form, was provocative of discussion on two grounds; the franchise in the territory and slavery. The Committee bill extended to all free male white inhabitants of Oregon, over the age of twenty years, who had been residents of the territory at the time of the passage of the act, the right to vote in the first election and to be eligible for office;

<sup>3</sup> Ibid., 8 Jan., 1847. Elijah White had previously resigned. See chapter IV above and chapter XIII below.

<sup>4</sup> Polk, *Diary*, II, 254. Walker thought this a reflection on him as a relative of his had been connected with the Maine survey.

<sup>5</sup> *Globe*, XVII, 166 seq.



after the election qualifications both for voting and for office holding were to be fixed by the Legislative Assembly. W. W. Campbell, a Native American of New York, moved to insert in the proper place the words "who is a citizen of the United States." After some discussion an amendment suggested by Douglas was adopted as clearing up the difficulty: to the original provision was added the proviso, "that the right of suffrage shall be exercised only by citizens of the United States and those who shall have declared on oath, before some court of record, their intention to become such, and shall have taken an oath to support the Constitution of the United States and the provisions of this act."

The slavery issue was not so easily disposed of. It was well understood that the war with Mexico would not leave the territorial situation of the United States as it had been before the outbreak of hostilities; furthermore, the region between the Rockies and the first belt of States west of the Mississippi was already offering attractions to pioneer spirits who would carry with them their accustomed institutions and ideas. That particular portion of the slavery discussion and resultant legislation which ended with the Compromise measures of 1850 may be said to have started with the debate on the Oregon Territory in the winter of 1846-7. As the bill for Oregon's organization was being read to the House James Thompson, a Pennsylvania Democrat, desired to know whether an amendment suggested by him relative to slavery had been included. Douglas read the 12th section which he thought would satisfy the query:

"The inhabitants of said territory shall be entitled to enjoy all and singular the rights, privileges and advantages granted and secured to the people of the territory of the United States northwest of the Ohio river, by the articles of compact contained in the ordinance for the government of said territory, on the 13th day of July, 1787; and shall be subject to all the conditions, and restrictions, and prohibitions in said articles of compact imposed on the people of said territory."

This provision, said Douglas, was in harmony with the terms of the provisional constitution which the people of Oregon had adopted.

Stevens Adams of Mississippi, a Democrat, when this article was under consideration, proposed as a proviso:

"That nothing in relation to slavery in this act shall be construed as an intention to interfere with the provisions or spirit of the Missouri Compromise; but the same is hereby recognized as extending to all territory which may hereafter be acquired by the United States."

Objection was made to this because it applied to territory other than that under consideration in the bill. Hannibal Hamlin of Maine objected to the introduction of the question of slavery at all while discussing the Oregon bill. He contended that the Missouri Compromise had nothing whatever to do with Oregon; when the matter of slavery had come up with the annexation of Texas Congress had been told that the law of heaven prevented slavery in part of that State, yet when it came into the Union slavery existed in every part of it. "It was time now," he said, "that it should be fully understood; that the resolution had been taken, that there should be no more slave territory admitted into the Union or suffered to exist there."

Adams withdrew his amendment but Burt, of South Carolina, proposed to insert at the place where there was reference to the slavery provision of the Northwest Ordinance the words: "inasmuch as the whole of the said territory lies north of 36° 30' north latitude, known as the line of the Missouri Compromise." He supported his amendment with an examination of the whole question of the Northwest Ordinance which he said was in violation of the terms of the Virginia cession, the Missouri Compromise, and the rights of the South under the Constitution to which the Compromise added nothing. Some of his southern friends, he said, doubted the wisdom of submitting the amendment at that moment, but if the South failed to raise her voice at that time it would never again have an opportunity and another precedent to her disadvan-

tage would have been made. The language of the gentlemen from the West and from New England, he continued, was plain enough that the South must move then or not at all.<sup>7</sup> Pettit, of Indiana, took issue with him on the power of the United States over territories which, he contended, was sovereign. The South was not ready to answer to Burt's call; the amendment was lost after little discussion by a close vote.

Further consideration in the Committee of the Whole House resulted in minor changes only, except that the recommendation of the Committee on Territories for a grant of one section per township for educational purposes was increased to two. When the bill was reported to the House it was adopted as it stood although Burt made another attempt to have his amendment included. The final vote, however, had not been taken before the Wilmot Proviso and all that it implied had been brought before the House. Leake of Virginia had stated the position of the South: twice the South had been cheated by compromises, once in 1820 and again in 1833 (on the tariff), and now the House had deliberately rejected Burt's amendment the adoption of which would have shown the good faith of the North. By refusing to allow all mention of the Missouri Compromise in the Oregon bill it was obvious that there was shown the same spirit which had produced the Wilmot Proviso, and it must all be looked upon as an Ultimatum, not a Protocol, of the North. In that case, said Leake, it was well for the North to hear the Ultimatum of the South: if the Wilmot proviso should be engrafted upon any legislation as a part of a permanent policy, "They (the Northerners) will have put the South to the exercise of those *reserved rights* guaranteed by the Constitution, and which have not been and which shall not be wrested from us. We cannot, we will not, we ought not, to submit to it. You have put us on the defensive *and we will defend!* For the fraternal bond that has hitherto connected us, you will have substituted the chain of despotism: we will sever it. By making us *feel* the union only

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<sup>7</sup> *Globe*, XVII, 178-9; *Appendix*, 116-7.

through its oppressions, you will have driven us to the necessity of withdrawing from it, in order to avoid its despotism. By interfering with the rights of property, you will have driven us to the necessity of withdrawing it from your grasp.”<sup>8</sup>

Leake was supported by Rhett of South Carolina and was opposed by Thurman of Ohio who flatly stated the point of view of the North as this: while not agreeing with the abolitionists, both Whigs and Democrats of the North believed that the Federal Government had supreme power over the territories, and through that government he and his colleagues were going to oppose the extension of slavery. Hamlin also reiterated this sentiment and said that each side might as well know where it stood; the North proposed that no territory then free, nor any territory subsequently added to the Union, should be slave. He, for one, was in favor of a declaratory law (like the Wilmot Proviso) to that effect.

The vote on the passage of the Oregon bill was 133 to 35 in its favor. Of the negative votes two came from the North (one Whig and one Native American); the other thirty-three from the South were cast by twelve Whigs and twenty-one Democrats, but a considerable number of the southern Representatives would not vote.<sup>9</sup>

The Senate referred the House bill to the Committee on Judiciary which retained it until the twenty-fifth of January.<sup>10</sup> It was then reported out with amendments, and on the twenty-ninth recommitted that some errors might be corrected. On the last day of the session Mr. Allen called up the bill, and, when objection was made on account of the many important measures which would have to be neglected if it should be taken up, declared that he understood the scheme. The interest in the Northwest was at that moment the weakest of the three interests in the Union; it was overshadowed by the Northeast and the South, both of which conspired to check action. The

<sup>8</sup> Leake in *Globe*, XVII, 188; *Appen.*, 111-3; Rhett, *Appen.*, 214-7; Thurman, 188-90; Hamlin, 195-7.

<sup>9</sup> *Ibid.* 197.

<sup>10</sup> *Ibid.*, 199, 246, 283, 570.



two old wings were overshadowing the new center, and this could be seen by examining every vote taken since 1820; "the old North and the old South dreaded the power of the new center, and so were willing to let Oregon become independent." Allen's efforts, however, could produce no action and after a little desultory discussion of the House suffrage amendment which Huntington (Connecticut) and Webster looked upon as a dangerous innovation, the bill was tabled and so killed.

The vote on tabling was twenty-six to eighteen. Fifteen of those who wished to postpone action were from slave States, while six of the eighteen in favor of immediate action also came from south of Mason and Dixon's line. As such the vote does not reveal very much, but if the personnel of the northern Senators who voted to table the bill is considered a little more light is afforded. Gilley (N. H.) and Woodbridge (Mich.) were the two northern Democrats who voted to table; the Whigs were Clayton (Del.), Davis and Webster (Mass.), Evans (Me.), Greene and Simmons (R. I.), Huntington (Conn.), Miller (N. Y.), and Upham (Vt.). When one considers the course of the Whigs during the crisis of 1848-50, their attempt to prevent a break by framing compromises, one can find in this list of names something which affords an explanation of their vote on the Oregon bill in 1847. All but one of those who voted against tabling were Democrats; this group also included all the western Senators except Woodbridge of Michigan and the two from Kentucky.

The Senate action must also be interpreted in the light of the resolutions introduced by Calhoun on the nineteenth of February.<sup>11</sup> While these were applicable prospectively and looked rather to the territory held and about to be acquired in the Southwest rather than in Oregon, it was necessary to make the principle apply to all if it would have any force; and so, in the light of this declaration of principles, it is not difficult to see that the supporters of the "peculiar institution"

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<sup>11</sup> *Ibid.*, 445.

were unwilling that a decisive step should be taken with Oregon. "The territories of the United States belong to the several States composing this Union," read the resolutions, "and are held in common by them as their joint and common property"; no discrimination between the States could be made by Congress, their common agent, so that any State should be deprived of its full and equal rights in any territory, acquired or to be acquired.

"The enactment of any law which should directly, or by its effects, deprive the citizens of any of the States of this Union from emigrating, with their property, into any of the territories of the United States, will make such discrimination, and would therefore be a violation of the Constitution, and the rights of the States from which such citizens emigrated, and in derogation of that perfect equality which belongs to them as members of this Union, and would tend directly to subvert the Union itself."

Moreover, Calhoun went on to state in his declaration of faith, it was a fundamental principle of the American political creed that a people has the right to form that sort of a government which seems best adapted to its needs; this principle is embodied in the Constitution, consequently any attempt on the part of Congress to place upon a people any other restrictions than that its government shall be republican would be not only against the Constitution but "in direct conflict with the principle on which our political system rests."

The skirmish of 1846-7, therefore, but presaged the bitter strife which waged in 1847-8 *about* Oregon and its territorial organization but not with reference to it as such.

With such a fate for the most important measure recommended by the President it is not surprising that the minor suggestions were not followed out. There was, to be sure, some little discussion of the Senate bill intended to provide for a survey of the lands in Oregon and to make grants to settlers.<sup>12</sup> It did not pass, although it reached the third reading, for it was recommitted on account of two features: no

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<sup>12</sup> *Globe*, XVII, 219, 255-6, 266, 275-6, 293-4.

provision was made for quieting the Indian title, and there was no recognition of the claims of the Hudson's Bay Company and its servants. Congress had the customary petitions for grants of lands; the railroad question did not come up except when the House committee to which had been referred the memorials of the last session asked to be discharged from further consideration of the same. Thomasson of Kentucky introduced a resolution in the House to inquire into the expediency of setting apart a portion of the country west of the Rocky Mountains for the use of the Indians of Oregon in perpetuity, "in which district no white man shall settle without permission of the President of the United States, and then only for the purpose of instructing and improving the Indians."<sup>13</sup>

Colonel Benton believed that the defeat of the territorial bill was the work of pro-slavery propagandists and he did not fail to give publicity to this opinion. On the twenty-ninth of March, just as he was leaving Washington, he went to the President with a letter, a copy of which he intended to send to the people of Oregon the next day by the newly appointed deputy postmaster of Astoria, Shively. Polk urged him strongly not to send the letter as it would inflame the inhabitants of Oregon where they were so far out of touch with the older portion of the United States that they would be unable to see the whole issue in its proper perspective.

\* \* \* "I think it right," wrote Benton, "to make this communication to you at the present moment, when the adjournment of Congress, without passing the bill for your government and protection, seems to have left you in a state of abandonment by your mother country. You are not abandoned! nor will you be denied protection for not agreeing to admit slavery. I, a man of the south and a slave-holder, tell you this.

" \* \* \* This will be a great disappointment to you, and a real calamity; already five years without law or legal institution for the protection of life, liberty and property!

<sup>13</sup> The letter was published in the *New Orleans Mercury*, quoted in *Niles' Register*, 8 May. See Polk, *Diary*, II, 444 seq.

and now doomed to wait a year longer. This is a strange and anomalous condition! almost incredible to contemplate; and almost critical to endure!—a colony of freeman, 4,000 miles from the metropolitan government, and without laws or government to preserve them! But do not be alarmed or desperate, you will not be outlawed for not admitting slavery. Your fundamental act against that institution \* \* will not be abrogated! nor is that the intention of the prime mover of the amendment. Upon the record, the judiciary committee of the senate is the author of the amendment; but not so the fact! That committee is only the mid-wife to it. Its author is the same mind that generated the 'fire-brand' resolutions of which I send you a copy, and of which the amendment is the legitimate derivation. Oregon is not the object. The most rabid propagandist of slavery cannot expect to plant it on the shores of the Pacific, in the latitude of Wisconsin and the Lake of the Woods. A home agitation, for election and disunion purposes, is all that is intended by thrusting this fire-brand question into **your** bill! and, at the next session, when it is thrust in again, we will scourge it out! and pass your bill as it ought to be. I promise you this in the name of the south as well as the north; and the event will not deceive me."<sup>14</sup>

Said the President, "I disapproved the letter, but knowing his (Benton's) domineering disposition and utter impatience of contradiction or difference of opinion, and knowing that I could not change his opinions, I contented myself with simply stating my objections to the letter and expressing my doubts of sending such a letter." Nevertheless the next day Polk urged Benton to reconsider his decision; "I told him that Oregon was a Northern Territory & that slavery could never exist there, that I condemned Mr. Calhoun's course, but this, I feared, would not be understood by the inhabitants of Oregon, who were far removed from newspapers and other sources of information." It would produce a mischievous excitement in Oregon where there would be alarm while, as those in Washington knew, there was no cause for it. Besides, said

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<sup>14</sup> Benton voiced similar sentiments when he was notified that the Democracy of Missouri desired him as their candidate for president. He thought a northern man should be elected. *Register*, 7 May, 1847.



Polk, only a day or so before the Secretary of State had addressed a communication to the people of Oregon, as the Senator knew, giving them assurances that they would be protected by the United States and expressing the opinion that a territorial bill would be enacted at the next session of Congress. Colonel Benton took the President's remarks under consideration—that the letter would do less harm if published in an eastern paper—but the letter went on to Oregon.

According to Benton, Calhoun's object in all his agitation was to secure the presidency at the next election, a view in which Polk concurred, although he did not say so to Benton. Furthermore, "in the course of the conversation Gen'l Benton dropped the idea distinctly that the New York gentlemen (Dickinson and Dix and the delegation in the House) had gone home from Congress with a full record of all the facts & intended to make an issue on that question \* \* \* The truth is there is no patriotism in either faction of the party. Both desire to mount slavery as a hobby, and hope to secure the election of their favorite with it. They will fail and ought to fail."

The President, however, did not confide to Benton nor even to his own diary that he himself was in general accord with the general idea which actuated Calhoun: i. e., the erection out of the territory to be gained from Mexico of units in which there would be no restriction on slavery. Polk was not guided by the desire to be president a second term, for if there is in his course any consistency to be ranked with that with which he worked to obtain California and New Mexico, it is his unfailing discouragement of all suggestions that he should try for a second election. If it was not to curry political favor with the South that Polk pursued his course, neither was it merely to provide for the extension of territory where slaves might be held legally; he desired an expansion of the territory of the United States, but more, he did not wish his country disrupted on the issue of slavery, and so he strove to maintain the balance between the two sections. This is testified to by

the fact that he resisted the importunities of Buchanan and others in his Cabinet to secure all or a much larger portion of Mexico than he did, for this would have disturbed the balance as seriously in favor of the South and so equally have threatened disunion.

The letter written by Buchanan, to which Polk referred, was entrusted to Shively.<sup>15</sup> It noted the failure of the territorial bill but pointed to the encouragement to be derived from the large vote in the House in its favor, and contended that this foretold a successful issue at the next session. The disposition of the United States was, moreover, seen in the passage of an act extending postal facilities to the people of Oregon, as well as in that of the last session for a regiment of riflemen. The steadiness with which the demands against Great Britain has been maintained was also proof that Oregon would never be abandoned.

Good use was made during the summer and autumn of 1847 of the blazing issues raised by the Mexican war and the prospective increase in territory for the United States. In the North the principles of the Wilmot Proviso received approval and ten States, through their legislatures, formally endorsed the proposition,<sup>16</sup> while some of these went further and insisted that no new States should be admitted unless slavery should be prohibited. Oregon was swallowed up in the greater issue of slavery and its extension. An interesting, although not important, comment on the position Oregon was assuming even in the West is afforded by a one-time ardent pro-Oregon, 54-40-or-Fight paper, the *Missouri Republican*. After publishing a letter from L. W. Boggs, once governor of Missouri, on the route to Oregon and California, the *Republican* said:<sup>17</sup>

"We give place to his instructions not because we desire to be understood as recommending any man to go either to California or Oregon \* \* \* If we were asked our advice in this matter we would tell any man who has any-

<sup>15</sup> *Works of James Buchanan*, VII, 258-60; 29 March, 1847.

<sup>16</sup> *Register*, 18 Sept. Ohio, New Hampshire and Vermont were opposed to admission with slavery.

<sup>17</sup> Quoted in *Niles Register*, 6 Nov., 1847.

thing to hope for in any of the states or territories of this union—who is not absolutely an outcast from society and deprived of all chances of maintaining a respectable standing—not to move one foot towards either Oregon or California. We have made inquiries from discreet and intelligent men who have visited both countries and they have uniformly concurred—not an exception now occurs to us—in representing both territories as inferior in advantages to those offered by our own state, and as representing no inducement to take any respectable man there.” And those already there would be glad to get away if they could.

The Thirtieth Congress presented an example of that mid-administration political change which has so often occurred in our country. Instead of a comfortable majority of Democrats in both houses, Polk found the House of Representatives in the hands of the Whigs by a small majority. The loss to the administration forces had been most serious in New York and Pennsylvania, although there had been scattering defections elsewhere in the ranks. This disaster Calhoun traced to the “course of the Administration in reference to the Oregon and Mexican questions;” the Democratic party had become distracted, disheartened and divided, and the Whigs were not much better off.<sup>18</sup>

How much the Oregon situation played a part in the congressional elections of 1846 is open to question; certainly it was subordinated completely to the greater issues of the Mexican war. On the whole, although the Whig party tried to make political capital by holding up as a horrible example the course of the President in the Oregon matter, it seems that a feeling of satisfaction—everywhere except in parts of the West—prevailed; there was satisfaction that the outcome had been no worse.<sup>19</sup> Besides, the President *had* gotten more from Great Britain than many expected that nation to yield without war.

In considering the action of the Thirtieth Congress on the

<sup>18</sup> Calhoun to Lewis S. Coryell, 7 Nov., *Correspondence*, 709; see also letter to his daughter, 21 Nov., *Ibid.*, 713.

<sup>19</sup> This was the note of a speech by Webster at Philadelphia on Dec. 2d, 1847. *Works* (1854) II, 320 seq.

Oregon territorial bill it is constantly to be borne in mind that the whole struggle was but an aspect of the greater question of slavery, its extension, and its relation to the fruits of the Mexican War. That war having dragged through 1847—Mexico City was occupied by American troops on September 14th—had been ended by the Treaty of Guadalupe-Hidalgo, signed on the second of February, 1848, and ratified a month later by the Senate. The cession of Upper California and New Mexico to the United States had brought about exactly the situation which had in prospect stimulated the debates in the previous session of Congress, consequently the Thirtieth Congress dealt with existing conditions rather than with an expected situation as its predecessor had. Nevertheless, the discussion was resumed with exactly the same spirit which had animated the Twenty-ninth Congress although feeling ran higher and a greater tenseness in the country at large was reflected in the increasing vehemence of partisans on both sides of the question. It is not the purpose here to discuss the greater issue in all its ramifications but only the Oregon side of the question.

The Third Annual Message of President Polk renewed the recommendations of the former message, particularly laying emphasis upon the necessity of creating a territorial organization. There was, he told Congress, a demand for the protection of the laws of the United States, for a legalization of the Oregon government which, in its existing provisional form, was "wholly inadequate to protect (the inhabitants) in their rights of person and property, or to secure them in the enjoyment of the privileges of other citizens, to which they (were) entitled under the Constitution of the United States." They should be granted the right of suffrage and the privilege of sending a Delegate to Congress, and should have all the customary rights of the inhabitants of other portions of the territory of the United States. No direct reference, of course, was made to the slavery issue as it touched this subject, although at the end of the Message, Polk did call to the atten-



tion of Congress the words of Washington, where he warned his countrymen against allowing sectionalism to tinge their deliberations.<sup>20</sup>

In both houses, bills for the territorial government of Oregon were introduced early in the session. In the Senate it was Stephen A. Douglas, who now had left the House and was entering upon his eventful career in the upper body, to whom was granted the honor of introducing the measure which was immediately referred to the Committee on Territories.<sup>21</sup> The Senate, however, did not take up this bill until after the House bill had been under discussion for over a month, hence, since each House pursued its own course, it is with the latter that we must deal first.

The House Committee on Territories introduced a bill on the ninth of February; it was made a special order of the day for the fourteenth of March and on the twenty-eighth of March it was called up by Wentworth, an Illinois Democrat, and considered in Committee of the Whole.<sup>22</sup> The slavery debate, which had to that time fastened upon other topics—the Loan Bill, the Deficiency Appropriation Bill, and nearly every other measure before the House—now seized upon that which, together with the bills for the organization of New Mexico and California, gave the most legitimate excuse for its consideration. John Gayle, of Alabama (Whig), and Ephraim K. Smart, of Maine (Democrat), occupied the time upon this first day with their views upon the constitutional power of Congress in legislating for the territories. The Southerner took the ground that hitherto legislation and decisions of the Supreme Court had considered States and territories as upon the same legal footing; Congress could not legislate upon domestic affairs within the States, consequently it could not for the territories. Furthermore, territorial governments could not of themselves exclude slavery for that would infringe upon the rights of citizens of certain States who might desire

<sup>20</sup> *Globe*, XVIII, 10-11. <sup>20</sup> *Ibid.*, 136.

<sup>21</sup> *Ibid.*, 136.

<sup>22</sup> *Ibid.*, 322; debate of 28 March, 542-8.

to take up their residence in that which was common property of all the States. Mr. Smart took the opposite ground and said that Congress had legislated for territories from the beginning, thereby exercising an undoubted constitutional prerogative. Besides, said he, the opponents of the clause restricting Oregon from allowing slavery admitted that the climate there was such that slavery could never exist; if this statement was spoken in sincerity there would be no objection to legal prohibition.

With personal variations these sentiments were those which characterized the debate throughout; on the part of the opponents of the extension of slavery the purpose was to have included in the bill a specific prohibition of it in Oregon; those from the South preferred that no reference whatever should be made to slavery, thus upholding Gayle's contention that Congress could not legislate up the subject. If, however, it should prove impossible to obtain this, the next best thing would be to obtain some kind of a statement which recognized the extension of the line of the Missouri Compromise to the Pacific.

Nothing further was done with the House bill until the first day of May when there was an attempt to have it made a special order. The House, however, like the Senate, in addition to have more pressing business (the appropriation bills), was unwilling to proceed seriously with this measure before it was apparent what general principle, if any, was to be established with reference to territories, consequently it was nearly a month before any further mention of the Oregon bill was made.

Meantime there had arrived in Washington one of the two messengers sent from Oregon to present the pleas of that territory to Congress. J. Quinn Thornton had arrived in May with a letter from Governor Abernathy to Douglas. On the basis of this letter Thornton had drawn up a memorial, dated May 25th, wherein was a brief history of the Oregon colony, and a description of the establishment and work of the Provis-

ional Government. It stated that there had been thought of electing a Delegate to represent the territory in Congress, but this had not been done because there was no law authorizing such action, and there had been no time to elect a Delegate and get him away on the only vessel which could reach the Atlantic Coast in time to have him of any use; furthermore, it was not expedient to elect a Delegate with the expectation that a seat would be accorded by courtesy. After this introduction the memorial proceeded to enumerate the desires of Oregon; in the first place there should be a regular territorial organization, and the law for this should recognize private contracts, all legislative and judicial acts already existing, and provide for the transfer of suits to the new courts; then the Indian title to the land should be extinguished; grants of land should be made on the basis of a five years' residence, and other grants for those who might, during a limited time, come into Oregon, as well as grants for educational provision; the revenue laws should be extended; and finally there should be appropriations to pay the public debt, for a library, to improve the mouth of the Columbia, employ pilots, erect lights and buoys and buy a steam tug. A good wagon road from Missouri to the Willamette valley with a cordon of military posts was much needed, and the colony would benefit by an appropriation for seeds and for agricultural implements. After this most modest list of pressing needs the memorial concluded with a final plea for a good territorial act—but a bad one would be better than none.<sup>23</sup>

On the twenty-ninth of May, Caleb Smith of Indiana, chairman of the House Committee on Territories, asked general consent to allow him to offer a resolution making the bill to establish the Oregon territorial government a special order<sup>24</sup> of the day immediately following the passage of the appropriation bills, except for Fridays and Saturdays. McClernand (Illinois) asked Smith to modify his resolution so that the House might at once go into Committee of the Whole on the

<sup>23</sup> *Sen. Misc. Doc.* No. 143, 30th Cong., 1st Ses.

<sup>24</sup> *Globe*, XVIII, 788 seq.

subject for he had just received from a resident of Oregon a letter depicting the distressing situation of the colony where the inhabitants were being harassed by the Indians.

McClernand's appeal for immediate action was supported by a message from the President transmitting a memorial from the legislative assembly of the Provisional Government.<sup>25</sup> The sorry condition of the people was described and Congress was urged to provide both an organized government and to send men to protect the whites in Oregon from the natives.

"If it be at all the intention of our honored parent," concluded the memorial, "to spread her guardian wing over her sons and daughters in Oregon, she surely will not refuse to do so now, when they are struggling with all the ills of a weak and temporary government, and when the perils are daily thickening around them and preparing to burst upon their heads. When the ensuing summer's sun shall have dispelled the snow from the mountains, we shall look with glowing hope and restless anxiety for the coming of your laws and your arms."

President Polk recommended the appeal to the earnest attention of Congress and advised provision for a regiment of mounted men and authority for the Oregon government to raise a volunteer force; these together, he thought, would be sufficient to deal with the Indian troubles. He pointed out the necessity of prompt action if the territory was to benefit by it that year for if the laws were enacted too late in the summer the mountain passes would be closed and it would be late in the spring of 1849 before assistance could reach the Columbia valley.

Howell Cobb of Georgia agreed that immediate action was necessary, but Collamer (Maine) raised the question as to why the mounted riflemen provided for by the last Congress had not been used for the protection of Oregon. He was not satisfied with Cobb's explanation that these men had been used in the Mexican War, since the bill had made no especial

<sup>25</sup> Richardson, *Messages*, IV, 584-6. Polk, *Diary*, II, 463-4. The memorial and papers were brought by Joseph Meek, who had been sent on this mission at about the same time Thornton had left with the Governor's letter for Douglas. Two rival factions in Oregon were represented by the two messengers.



designation of their service; he said there was something suspicious in Cobb's eagerness, it looked as though there might be an attempt, in which the President was implicated, to rush the Oregon territory bill through under an emergency plea and thus gag Congress in its discussion of the major issue. Collamer's suspicions were shared by others, consequently the two measures were separated and the question of protection was referred to the Committee on Military Affairs. Nothing, however, came of it; whatever protection Oregon received from Federal troops came from those which the President detailed for that duty after their services were no longer needed for the Mexican situation. The territorial bill awaited its place after the appropriation bills, as Smith's resolution provided, and did not appear again until late in July.

So long did other matters engage the attention of Congress, legislative and political—the presidential nominations had occurred and the campaign of '48 was well under weigh—that the Senate had proceeded to take up, discuss and pass its Oregon bill before the House was in full swing on the debate over its own measure.<sup>26</sup> On the thirty-first of May, two days after the President's message and the memorial were received, the Senate postponed prior orders and took up the bill Douglas had introduced four months earlier. Upon Benton's motion it was amended by adding a section to authorize the raising of volunteers in the territory. Next Hale (Maine) proposed section 12 of the last session's bill, extending to Oregon the provisions of the Northwest Ordinance, as an amendment to the original measure. This raised a storm, mostly from the southern Senators; said Benton, if this "pestiferous question" had not been raised Oregon would already have had a government and the Indian disturbances would have been quelled at their beginning. Hannegan (Indiana) said the amendment was not heeded because everybody knew the Missouri Compromise covered Oregon. In view of the excitement his amendment had created, Hale pro-

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<sup>26</sup> *Globe*, XVIII, 804 seq.; *Appen.*, 684 seq.

posed that the question be postponed a few days, although he said there would be slaves in Oregon unless Congress kept them out. Westcott gave notice that he would move a substitute for the bill, the Senate bill of the last session.

The next day the bill was up with the question of Hale's amendment the immediate point of discussion. He withdrew it since he had been accused of casting a fire-brand into the Senate although he announced that he would renew it or not as circumstances should seem to direct. This action brought up Westcott's amendment (the substitute bill): the personal guaranties of the Northwest Ordinance should apply, and the laws of the Provisional Government would continue in force until the end of the first session of the legislature provided by the bill, with this proviso:<sup>27</sup>

"But no provisions of such laws, or of any act hereafter passed by the Legislative Assembly of said Territory shall be construed to restrict citizens of any of the United States, or of any Territories thereof, from immigrating with their property to, and settling and residing in, said Territory, and holding and possessing their property therein, and fully participating in all the benefits, advantages, privileges, and immunities thereof as a Territory of the United States, with such property, on an equal footing with the citizens of any of the United States; and all laws and parts of laws which shall operate in restraint of, or detriment to, the full enjoyment of such rights, are hereby declared to be null and void."

This restriction, which in so many words would allow slavery in Oregon, was in direct contravention of the laws of the Provisional Government. While Hale's amendment, which might be renewed at any time, presented the radical anti-slavery views, Westcott's voiced the opinions of the pro-slavery men. Those who wished to see the bill passed in some form joined with those who desired to keep the real issue submerged in attempting to dodge the issue if possible. They were willing to see struck out of the bill the 12th section by which, since it continued the laws of the temporary organization, slavery

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<sup>27</sup> *Globe, Append.*, 690.

would be actually prohibited. However, when Bright (Indiana), with the consent of his friends, agreed to strike out this section Hale threatened to renew his amendment if the motion should prevail. Calhoun held that Bright's proposition did not touch the real issue, the real difficulty, which involved three questions: the power of Congress to interfere with persons emigrating to a territory which was their property; the power of a territorial government to do the same thing; and the power of Congress to vest this power in a territorial government. Westcott's amendment alone, he thought, would solve the problem. Hereupon Dickinson of New York proposed that the troublesome section be left out and that the people of the territory be allowed to settle the matter as they should chose; in other words he advocated the "squatter sovereignty" which played so prominent a part a few years later.

Upon the question of striking out the 12th section the debate continued, its theme always being the same. Houston of Texas proposed to insert in this section, after the provision which continued such existing laws in the territory as were not incompatible with the provisions of the act, the words, "or in violation of any rights by the laws or Constitution of the United States vested in or secured to the citizens of the United States, or any of them."<sup>28</sup> Such a clause could be interpreted according to the wish of each party, and it was adopted.

The third day of the debate passed without progress. On the next day (June 3d) Foote (Mississippi) proposed to insert after "existing laws now in force in the Territory of Oregon" the words, "provided the same shall be compatible with the laws and Constitution of the United States." To this Westcott would not agree because such a proposal, which intended to leave the whole issue to the decision of the Supreme Court, would take the question not a step in advance; the Court would have no jurisdiction, for the right to take

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<sup>28</sup> *Globe*, 812.

slaves to Oregon rested upon the fact that there was nothing in the Constitution to prohibit it. Badger (North Carolina) tried to get at the problem in another way by submitting as a substitute for Foote's amendment the provision of the Ordinance of 1787 omitting the slavery clause.

Here the discussion rested until the twenty-third of June when previous orders were again postponed to let the bill come up.<sup>29</sup> At that time Badger withdrew his amendment, and Berrien, who had previously renewed the amendment to strike out section 12, said that his proposition put the whole issue squarely before the Senate, the best way to come at the whole question. Nevertheless, Jefferson Davis presented an amendment, which he proposed should come at the end of the bill, reading:

*"Provided, That nothing contained in this act shall be so construed as to authorize the prohibition of domestic slavery in said Territory whilst it remains in the condition of a territory of the United States."*

The whole measure appeared to be in danger of meeting the fate of its predecessor of the year before. In desperation the friends of the bill brought up the question with the President who advised them to bring forward and press the adoption of the Missouri Compromise line to the Pacific.<sup>30</sup> Hannegan, to whom Polk first made the suggestion, agreed that it was the only practicable way of settling the difficulty; Breese (Illinois), Bright, Foote, and the members of the Cabinet, concurred in the opinion. Even Bradbury, a Maine Democrat, while he did not exhibit any enthusiasm over the proposition, admitted that it seemed the only way out especially in view of the action of the Barnburners of New York, who had bolted the Democratic platform as framed at Baltimore. Accordingly at the President's table Foote wrote out, at Polk's dictation, the amendment which Bright copied and proposed on the twenty-seventh of June.<sup>31</sup>

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<sup>29</sup> *Ibid.*, 871; *Appen.*, 861 seq.

<sup>30</sup> Polk, *Diary*, III, 501-4.

<sup>31</sup> *Ibid.*, 505.



"That in all the Territories owned by the United States, including Oregon, New Mexico and Upper California, which lie north of 36° 30' north latitude, slavery and involuntary servitude, otherwise than in the punishment of crimes whereof the party shall have been duly convicted, shall be and is hereby forever prohibited; *Provided always*, That any person escaping into the same whose labor or service is lawfully claimed in any State or Territory of the United States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or services as aforesaid."<sup>32</sup>

Thus the question of slavery and all the territories of the United States came before the Senate in the debate which engaged the talents of the most gifted men on both sides. "It (the debate) has been," wrote Calhoun,<sup>33</sup> "very able and high toned on the part of the South, with a great concurrence of views between Whigs and the democratic members of the South. I do hope our present danger will bring about union among ourselves on the most vital of all questions. All other questions ought to be dropped. In Union lies our safety." To put the matter even more plainly Underwood of Kentucky (Whig) added to Bright's amendment the further proviso:<sup>34</sup>

"That citizens of the United States emigrating, with their slaves, into any of the Territories of the United States south of said parallel of latitude, shall be protected in their property in their slaves so long as the Territory to which they emigrate continues under a territorial government."

The struggle to eliminate all reference to slavery, or to embody in the bill some clause specifically opening all the new territories to slavery, was thus tacitly abandoned, and the contest turned to the next best course, according to the South, of marking in definite terms a region for the expansion of their institutions. Nevertheless the debate continued to thresh over the question of constitutionality of Congressional action, as well as to bring out what the South called the northern desire to crush their future political power.

<sup>32</sup> *Globe*, XVIII, 868.

<sup>33</sup> To J. E. Calhoun, 9 July, *Correspondence*, 759.

<sup>34</sup> *Globe*, XVIII, 880.

Thus locked, unable to proceed because neither side would retreat from its stand, the question stood when Polk, on the sixth of July, transmitted to both houses the ratified treaty with Mexico, and urged provision for a territorial organization in the region newly acquired by the United States.<sup>35</sup> Not alone to this public message did the President trust but he held long interviews with the Senators of his party and impressed upon them the necessity of settling the question in order "to allay excitement, prevent the organization of geographical parties, & preserve the harmony of the union."<sup>36</sup> Bright was a frequent visitor at the White House and was one of those most eager to secure action; in one of his interviews he suggested as the most satisfactory solution the adoption of the phraseology of the Texas Annexation Resolution which extended 36° 30' as the dividing line between free and slave territory.

The preliminary step for a compromise was taken by adopting Clayton's (Maryland) motion for a committee of eight, two from each party in each section, following the precedent set at the time of the Missouri Compromise and the Compromise Tariff of 1833.<sup>37</sup> This was seconded by Foote. Calhoun, however, pointed out that the act of 1787 was a compromise but the North had rendered it null by refusing to return fugitive slaves, a charge which he had previously brought, especially against the people of Michigan. Several objected to the scheme because the committee would have the Oregon bill before it, when it was understood that slavery would not be permitted there. Since no one could suggest any other solution the motion was adopted by a vote of 31 to 14. All the votes against the compromise committee were from the free States, eight Whigs and six Democrats. The committee, which as selected by ballot, was composed of Clayton (Chairman), Underwood (Ky.), Whigs, and Calhoun and Atchison (Mo.), Democrats, for the south; Clarke (R. I.).

<sup>35</sup> Richadson, *Messrages*, IV, 587-93.

<sup>36</sup> Polk, *Diary*, IV, 9, 12-14. Cobb, Houston, Bowden (Ala.), McLane (Md.), Sebastian (Ark.), Bright (Ind.), and several from the House talked with the President.

<sup>37</sup> *Globe*, XVIII, 928 seq.; *Appen.*, 914 seq.

Phelps (Vt.), Whigs, and Bright (Ind.), and Dickinson (N. Y.), Democrats, for the North.

The committee immediately proceeded to its work, but it found nearly as much difficulty in reaching a basis of compromise as had the Senate itself. In the first place an unqualified acceptance of the compromise line ( $36^{\circ} 30'$ ) was rejected, but Dickinson suggested a modification of what he had proposed on the floor of the Senate chamber; that is, non-interference with the question in New Mexico and California. Upon this basis the committee reached a tentative proposition of the following nature: the existing land laws which prohibited slavery in Oregon were to be left in force until altered by the territorial legislature; in California and New Mexico the legislative power should be vested in a Governor, Secretary and three Judges for each territory, and these men should be restricted by Congress from legislating upon the question of slavery, leaving the question, if it should arise, to the judiciary. Calhoun, who was brought to conference with the President through the mediation of Colonel Franklin H. Elmore of Charleston,<sup>38</sup> told Polk, who approved the plan, that he would support the proposition; much depended upon the President who would appoint the judges who might be northern men for Oregon but for the other two territories they must be southerners in order that the southern views on slavery might be maintained. "The tone of his conversation," wrote Polk, "on this point seems to be designed to elicit a pledge from me to this effect. I at once felt the delicacy of my situation & promptly replied that that was a subject upon which I could not speak, that if the laws passed in the form suggested I would do my duty, and jocosely added that my friends, as Gen'l Harrison's Cincinnati committee in 1844 [1840?] said for him, must have a 'generous confidence' that I would do so."

<sup>38</sup> Polk, *Diary*, IV, 17-24. Elmore had asked Polk to request Calhoun to call (he had not done so since the Oregon treaty of the year before); but Polk said that the Senator was an older man and had been longer in public life, and a request of this sort would make it appear that he was seeking some sort of influence over him; he would, however, be glad to see Calhoun.

The compromise plan met with one objection from the northern members of the committee; they insisted that there should be provision for appeal to the Supreme Court of the United States, a modification which Calhoun and the two other southern members did not like. Calhoun, in fact, suggested to the President that the whole matter might as well be allowed to go over to the next session of Congress; that is, until after the election had shown the sentiments of the people. Polk strongly objected to this. Finally, however, Calhoun yielded the point and a bill was reported to the Senate on the eighteenth of July, on the lines outlined; that is, the original Oregon bill with added sections dealing with New Mexico and California.<sup>39</sup>

On the twenty-second the bill was called up. There was a short discussion in which it was contended that there was no connection between Oregon and California, the best title to Oregon came from the Louisiana purchase so the Missouri Compromise applied under any circumstances. Moreover, those who were less sanguine than the committee had appeared to be felt that the root of the question had not been touched at all. Nevertheless a test of strength was taken on a motion to strike out all after the 20th section (i. e., all except the parts relating to Oregon) and but seventeen votes as against thirty-seven could be mustered to defeat the compromise at that point. Hamlin, who said he was admonished by whisperings that the measure was to be pressed to a decision then and there, pointed out that the power of Congress to legislate on the subject of slavery was contained in the strongest terms in the bill; he objected to limiting the duration of the existing Oregon laws to three months after the meeting of the first Legislative Assembly because that would bring the question of slavery again before Congress. This point was brought up by others and produced from Clarke (R. I.) an amendment to the sec-

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<sup>39</sup> *Ibid.*, IV, 24; *Globe Appen.*, XVIII, 1139-40. Clayton, reporting the bill, outlined the course of the discussion and added that it was the view of the committee that this bill would ultimately settle the whole question. The following day he stated that this was not intended as a report, but as a personal opinion; the bill must speak for itself.



tion extending legislative powers to the territory to the effect "that no law repealing the act of the provisional government of said Territory, prohibiting slavery or involuntary servitude, shall be valid until the same shall be approved by Congress."<sup>40</sup>

Like most compromises the bill did not meet with ardent support; even those who had been responsible for it were dissatisfied, and Underwood was outspoken in his complete opposition to the principle involved: the portion regarding Oregon, said he, could not be voted for by any Senator without surrendering all constitutional objections to the power of Congress over slavery; there ought to have been a compromise on 36° 30' but this had been defeated by the northern Senators. He urged his compatriots of the South to migrate to California and New Mexico and so settle the question in such a way that they would be satisfied.

On the morning of July 27th the bill was pushed to the final vote after a twenty-one-hour sitting of the Senate. During the all-night session the bill had been resolutely attacked by the more radical northerners, the Free-Soilers, who wished to wear out their colleagues and force an adjournment before a vote could be taken. Senator Niles was interrupted by Foote who called his attention to the dawning light.

"Well, sir," calmly replied the gentleman from Connecticut, "then I shall proceed with my argument with renewed energy. . . . I have ten distinct heads, containing distinct grounds of objection to the extension of slavery over those Territories, which I propose to consider seriatim. There is plenty of time before us, and I shall proceed very deliberately in this discussion."<sup>41</sup>

Dickinson took occasion to taunt his Free-Soil colleagues with having given a portion of Oregon to Great Britain; the "Free-soils" objected to the bill, he said because it gave the people of Oregon the right to legislate for themselves; they

<sup>40</sup> *Appendix to Globe*, XVIII, 1141-74, for the discussion.

<sup>41</sup> At 2 A. M. Senator Niles was talking and only one Senator besides himself was in sight; he moved an adjournment, and the sleeping members were roused from sofas and chairs in the lobby and anterooms to vote down the motion, 32 to 11. Every other attempt to adjourn before the bill was voted on met with the same fate.

professed to favor popular liberty, yet were insisting that a hasty and imperfect code of laws, designed to suit earlier days and framed under the influence of a British corporation, should be forced upon the people of the Territory until it should become a State. "A baser system of quack legislation never disfigured the records of civilized man! A blacker decree of despotism, in principle, was never fulminated since the edict of Nantes!"

During the debate various amendments which were proposed in order to nullify the compromise features were voted down. Hale, Davis (Mass.), Clarke, Baldwin (Conn.) all attempted in one form or another to defeat the purpose of the clauses dealing with New Mexico and California, but with no success. No vital amendment was made and the bill in essentially the form reported by the compromise committee was passed by the Senate on a vote of 33 to 22. All but three of the full membership responded to their names when the roll was called, and one of these three had "remained till a late hour" when he had been "obliged to go home on account of fatigue."<sup>42</sup> The twenty-two votes against the bill were all from the North, except for two from Kentucky and one (Bell) from Tennessee. Nine Senators from the free States, four of them westerners, voted for the bill. Thirteen Whigs were for the measure while four opposed it.

The House had just gotten started with its Oregon bill when the Senate Compromise bill reached the Speaker's desk. During the Senate debate, which had been closely watched by the Representatives, some Congressmen had announced to the President their intention to vote for it when it should reach them, but the strength of the northern non-slave vote was shown by the summary manner in which it was disposed of. Smith of Indiana expressed the sentiments of most of his northern colleagues when he said that the bill contained no promise of settling the controversy, and Alexander H. Stephens, of Georgia, taking the same ground, moved, as a

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<sup>42</sup> Webster was not present, and Jones of Iowa did not take his seat until December, 1848.

test of the House, that it be laid on the table. By a vote of 112 to 97 this was done and a motion to table the motion to reconsider was carried, 114 to 96.<sup>43</sup> Thus in a few minutes all the work of the Senate was undone and the House proceeded with the discussion of its own bill.

"I regard this vote of the House's as most unfortunate," recorded the President in his *Diary*.<sup>44</sup> "The majority, I learn, was made up of every Northern Whig, of about half the Northern Democrats, & of 8 Southern Whigs. Those of the Democratic party whose sympathies are with the Barnburners of New York, or who are timid & afraid to risk their popularity at home, united with the Whigs to defeat the bill. \* \*

\* The political factions in Congress are all at work and they seem to be governed by no patriotic motives, but by the effect which they suppose may be produced upon the public mind in the pending Presidential election. A heavy responsibility rests upon these, and especially upon the 8 Southern Whigs, who have united to defeat this measure of compromise of this most delicate & vexatious question. If no Presidential election had been pending I cannot doubt the compromise Bill would have passed the House. If it had done so the agitation would have ceased and the question would have been at rest." He thought it probable that the Northern candidate would take more distinctly anti-slavery ground (i. e., Van Buren, who had been nominated by the Democrats who were dissatisfied with the Baltimore platform); that no candidate would have a majority in the electoral college, and so the election would go to the House. The Whig leaders in both Houses, he learned, desired to adjourn early and so prevent any action on the territories, thus enhancing, as they supposed, the chances of General Taylor, their candidate.

In addition to the ever-present slavery issue, which occupied most of the attention of the House, there was some objection to the particular form of the land grant provisions and to the veto power given to the governor in the House bill. The

<sup>43</sup> *Globe*, XVIII, 1006-7.

<sup>44</sup> IV, 33-4.

measure, however, was reported to the House by the Committee of the Whole in its original form, except for a few minor details and the addition of some sections, relating to ports of entry, recommended by the Committee on Commerce. Toward the end of the discussion in Committee McClernand had moved to strike out all but the enacting clause and to insert the Senate bill; he was declared out of order, in the midst of great confusion. An appeal from the ruling was taken but the House upheld the chair. A similar fate overtook an attempt to substitute the Senate compromise for the whole bill.

On the second of August the bill as reported from the Committee of the Whole was taken up in the House and disposed of with no debate. There was no division on the amendments except that relating to the governor's veto, which was taken away by the House, and that on slavery. In Committee at a time when there was a light attendance the 12th section had been stricken out, but the House now replaced it by a vote of 114 to 88. The bill was then ordered engrossed and passed (129 to 71). In the division on the slavery section all the Congressmen from the slave States voted to retain the Committee amendment with the exception of fourteen who refused to vote; ten northern Representatives voted with their southern brethren, they were from Illinois, Ohio, Indiana and Pennsylvania.<sup>45</sup>

The defeat of the Senate measure in the House had been taken by all as a most unfavorable omen; nevertheless the western Democrats were determined to save something from the wreck if possible. Hannegan,<sup>46</sup> on the last day of July, in giving notice that he would introduce on the following Monday a bill for organizing the territories of Oregon, California and New Mexico, stated that it was his conviction that it was vain for any individual to attempt to adjust the question; the defeat of the compromise measure had brought to members of both houses numerous requests from all over

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<sup>45</sup> *Globe*, XVIII, 1027.

<sup>46</sup> *Ibid.*, 1010, 1016.



the country to leave the matter open because that would promote the interests of his (Hannegan's) favorite candidate for the Presidency (i. e. General Cass). That, however, he considered an impossible way to view the situation, for Christendom would look upon the United States as on the verge of civil war, especially as talk of disunion was so freely heard within the Senate chamber. It was the duty of Congress to adopt some measure to put a stop to this treasonable talk, for it was moral treason to breath the word "disunion." Benton, too, offered a bill, framed upon the act of 1806 by which the people of Louisiana were to be governed according to existing law until other provision should have been made. He said he would call this up later if nothing better should be presented.

The House bill, however, came before the Senate on August third. Senator Clayton was for extending it the same courtesy the Senate bill had received in the House, but this was refused, Clayton himself being the only one to vote for it. The bill was referred to the Committee on territories and by that committee reported back two days later with two major and two minor amendments; the veto power was restored to the governor, and in the proper place were inserted the words, "Inasmuch as the said Territory is North of the Parallel of 36 30, usually known as the Missouri Compromise."

On the eighth of August the Senate took up the bill and modified the veto amendment so that any act disapproved by the governor should be specifically submitted to Congress in such a way as to provide a Congressional veto of the governor's veto. As to the amendment touching the Missouri Compromise Douglas stated that it was the unanimous desire of the committee that no Senator's vote should be understood as committing him for the future. The northern radicals, however, refused to take this view and some of the southerners (e. g., Butler of South Carolina) opposed giving the North all the valuable territory north of the compromise line; this Oregon bill, said Butler, which two years before had been an innocent measure, now masked a battery from behind which

the institutions of the South were being attacked. On two days the bill was discussed, but no decision was reached. On the tenth of August the Senate convened for an evening session and threshed over the slavery issue until the final vote was taken the next morning at ten o'clock. First the committee amendment was voted on, with the understanding that if it was lost a vote should be taken on an amendment, submitted by Douglas, extending the Missouri Compromise line to the Pacific without reference to Oregon. The committee amendment was lost, 52 to 2, and the Missouri Compromise clause was inserted (33 to 21). The opposition to the amendment was nearly the same as that to the Compromise Bill which had passed the Senate a couple of weeks before; Atherton (New Hampshire Democrat), Breese and Phelps, who had voted for the Compromise Bill, now voted against the amendment; Atherton and Phelps voted against the bill. Fitzgerald (Michigan) and Underwood had opposed the Compromise bill and now voted for the amendment and the bill; Calhoun voted for the amendment but against the bill, which, he said, was ambiguous.

During the night while the Senate discussion was in progress the House was in great confusion so long as it sat, and the next morning the excitement was even more pronounced.<sup>47</sup> When the Oregon bill was brought before it for concurrence the whole section dealing with the veto was rejected, for, it may be remarked, the veto might conceivably be used to promote pro-slavery interests, since the governor would be appointed by a southern President. The Missouri Compromise line provision was lost, 121 to 82.

The bill was now before the Senate again (12 August). Benton moved that the Senate recede from its amendment and spoke feelingly for action on the bill. He said he had voted reluctantly for the compromise amendment, but now that the Senate had taken its stand enough had been done for concilia-

<sup>47</sup> So stated the reporter of the debates, and the President, who had gone to the Capitol late in the evening and had stayed until 11:30 P. M. in order to sign such bills as should be presented to him. *Diary*, IV, 79.

tion; in the meantime Oregon was in a deplorable condition and it would be criminal to adjourn before passing the bill. The provisional government, he went on, had reached a point where it could no longer handle the situation, and not only would there be war between Indians and whites but between whites and whites. Berrien begged his colleagues of the South not to let slip this opportunity for if the Senate amendment did not prevail the North would rule the South with a rod of iron. Calhoun spoke with bitterness of the defeat which the South had experienced; he denounced any southerner who supported this attempt of the North to turn the population of the whole South into slaves, for it had become not a question of territorial government but of the existence of the Union itself. Several attempts were made to induce Benton to withdraw his motion, which had precedence under the rule, but the Missouri Senator was adamant; he was going to see that bill pass if it was a human possibility.

All through the night and until nine o'clock on Sunday morning the ground was beaten over in the southern attempt to prevent action but finally the futility of the endeavor was seen. The amendments to which the House had refused its concurrence were taken up one by one and the Senate receded from its stand. The vote on the veto was 31 to 23 and that on the slavery section was 29 to 25. Four Senators did not vote; Clayton and Sturgeon were absent and Atherton paired with King of Alabama, who had left the Capitol exhausted. Those who voted to recede were all from the free States except Benton of Missouri and Houston of Texas. Party lines were forgotten; twelve Whigs and seventeen Democrats voted to recede, and eight Whigs and seventeen Democrats voted not to recede.

Only one recourse was now left and to the President went Senators to urge him to refuse to sign the measure. Turney of Tennessee protested that the President must not sign; Calhoun said the bill must be vetoed on constitutional grounds; Hannegan said he would sustain a veto.<sup>48</sup> Polk, however, had

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<sup>48</sup> *Diary*, IV, 71-3.

already made up his mind to approve the bill even before the Senate had acted. He had consulted his Cabinet and had found its members unanimous for approval since Oregon was north of 36° 30'. Then, asked he, should he accompany the signed bill by a message explaining that this was the reason for his approval? All agreed that some explanation should be made, although Buchanan qualified his assent by stating that its effect upon Cass' chances of election should be considered, and Walker inclined to think that a statement in the *Union* would serve the purpose better than a message. Accordingly Polk requested Buchanan and Walker to prepare a draft which was read and discussed in Cabinet on the twelfth; on the thirteenth, after the Senate had receded from its amendments, Polk revised the draft and with the advice of all his official family, except Buchanan, took it with the bill to the Capitol.

When he arrived at his room there he found the Senate engaged in a discussion as to whether the rules relating to presenting measures for the president's signature on the last day of a session should be suspended. Polk frankly told many of the Senators that if the rule should not be suspended it would defeat not only the Oregon bill but many other important measures, and in that case he would immediately issue a proclamation for an extra session of Congress. This threat was sufficient to cause the rules to be suspended, for not only had Congress been in session more than eight months, but the presidential campaign was in full swing and many fences needed immediate attention. Calhoun made one final appeal and urged the President, if he was bound to sign the bill, to do so in the usual manner and not accompany the signature with a measure. The request was of no avail and the President signed both bill and message and sent them by his private secretary to the House.<sup>49</sup>

In this message<sup>50</sup> Polk reviewed the course of the statesmen of earlier days on the slavery issue including the framing of

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<sup>49</sup> Polk, *Diary*, IV, 76-7. *Globe*, XVIII, 1083-4.  
<sup>50</sup> Richardson, *Messages*, IV, 606-10.



the Missouri Compromise which calmed "the troubled waters and (restored) peace and good will throughout the States of the Union. A similar adjustment, he went on, would undoubtedly produce the same happy results, for it had been successfully applied to Texas when that State was admitted.

"The Territory of Oregon lies far north of  $36^{\circ} 30'$ , the Missouri and Texas compromise line. Its southern boundary is the parallel of  $42^{\circ}$ , leaving the intermediate distance to be 330 geographical miles. And it is because the provisions of this bill are not inconsistent with the laws of the Missouri compromise, if extended from the Rio Grande to the Pacific Ocean, that I have not felt at liberty to withhold my sanction. Had it embraced territories south of that compromise, the question presented for my consideration would have been of a far different character, and my action upon it must have corresponded with my convictions \* \*

"Holding as a sacred trust the Executive authority for the whole Union, and bound to guard the rights of all, I should be constrained by a sense of duty to withhold my official sanction from any measure which would conflict with these important objects."

This blunt statement of the President's stand upon the whole issue the House refused to allow to go before the country as a public document and in spite of the efforts of some Representatives it was not officially printed until the following December, after the election. It was circulated, however, in the newspapers, since Polk, with a little difficulty secured a copy from the Clerk of the House for that purpose.

Oregon, having played a major role in international relations, now completed its first appearance as a leading figure in the slavery drama, a part which it took again when the question of statehood came up. After being the subject of discussion for many years it was furnished, as far as the law went, with the ordinary form of organic law, excepting that its governor had no veto power and slavery could not legally exist within its borders so long as the territorial status continued.







THE  
OREGON SPECTATOR  
THE FIRST NEWSPAPER ISSUED  
IN AMERICAN TERRITORY  
WEST OF THE ROCKY MOUNTAINS  
WAS PRINTED ON THIS SITE  
THURSDAY FEBRUARY 5, 1846.

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## HISTORICAL TABLET AT OREGON CITY

ADDRESS BY GEORGE H. HIMES, CURATOR AND ASSISTANT SECRETARY OF THE OREGON HISTORICAL SOCIETY, AND SECRETARY OF THE OREGON PIONEER ASSOCIATION, AT THE DEDICATION OF THE TABLET PREPARED TO MARK THE SITE WHERE THE OREGON SPECTATOR, THE FIRST NEWSPAPER WEST OF THE ROCKY MOUNTAINS, WAS PRINTED ON FEBRUARY 5, 1846.

The unveiling of a tablet at Oregon City on August 9th to mark the site where *The Oregon Spectator*, the first newspaper in American territory west of the Rocky Mountains was issued on February 5, 1846, seventy-three years and seven months before, was an interesting feature of the joint programme of the National and State Editorial Associations at their meetings in Portland on August 8-10, 1919.

At the time *The Spectator* was started the difficulties confronting such an enterprise were very great. Then Oregon City had a population of less than five hundred. The total population of the "Oregon Country"—meaning the area now constituting the States of Oregon, Washington, Idaho, and the parts of Montana and Wyoming west of the summit of the Rocky Mountains—did not exceed two thousand. The total voting population on June 3, 1845, was five hundred and four. Yet the citizens in and around Oregon City determined to have a newspaper. A subscription paper was prepared that year and enough pledges at ten dollars a share were secured to aggregate approximately twelve hundred dollars. That sum was entrusted to Gov. George Abernethy and forwarded to New York; and through him a hand-press, type, cases and other items needed in a printing plant, including a supply of paper, were purchased and sent to Oregon City via Cape Horn in a sailing vessel. Arrangements were made with John Fleming, a printer from Ohio, who came across the plains to Oregon City in 1844, to do the printing. The size of the paper was 11½ by 15½ inches, with four pages of four columns each, and it was issued twice a month at \$5.00 a year. Beginning with September 12, 1850, the paper was issued weekly with D. J. Schnebly as editor, and the subscription price was raised to \$7.00 a year.

Time does not permit reference to many other details of interest; suffice it to say that the journal had a fitful existence until the date of suspension in March, 1855, having been edited by seven different persons, and its mechanical department operated by nine different printers. It is likely that there were others, but no trace of them can be found. The salary of the first editor, an attorney named W. G. T'Vault, was at the rate of \$300.00 per year. He was a native of Kentucky and was reported to have had some experience as an editor in Tennessee before coming to Oregon. His services were dispensed with at the end of two months.

Out of the twenty-two persons whose names appear upon the tablet I have had a personal acquaintance with thirteen, the first of them being T. F. McElroy, who was associated with James W. Wiley in publishing the *Columbian*, the first newspaper north of the Columbia river, the first issue of which was on September 11, 1852, at Olympia at the head of Puget Sound. He was master of the first Masonic lodge in Washington—Olympia No. 1, in 1853, and officiated at the funeral of James McAllister, a member of his lodge, who was killed by Indians on October 28, 1855, at the beginning of the Yakima Indian war which lasted a year, and was a neighbor of my father's family. Acquaintance with George B. Goudy began soon afterwards, as he was a captain of volunteers during that Indian war. Both men became prominent in public affairs in the early days of Washington Territory.

Other members of *The Spectator* family achieved considerable distinction, notably James W. Nesmith, as supreme judge of the Provisional Government, volunteer soldier, Superintendent of Indian Affairs, United States Senator, and member of the House of Representatives; George Law Curry, as secretary of Oregon Territory and the last territorial governor; Wilson Blain, as a minister and educator; Aaron E. Wait, as a lawyer and circuit judge; D. J. Schneby, as a newspaper man at Ellensburg, eastern Washington.

My association with the men mentioned, together with a

growing consciousness of the importance of memorials to perpetuate the beginnings of various enterprises as well as events of historical importance, led me more than forty years ago to make a thorough investigation in locating the site of the building where *The Spectator* was printed. Then this point was selected as the proper one and the choice was confirmed by a number of persons then living who had been original subscribers to the paper, among them the late Hiram Straight, a pioneer of 1843, Sidney W. Moss, Medorem Crawford, F. X. Matthieu, and J. R. Robb, pioneers of 1842, W. Carey Johnson, a pioneer of 1845: and this choice had additional confirmation by William L. Adams, who bought the *Spectator* plant in April, 1855, and issued therefrom the *Oregon Argus* on the 21st of that month, as well as by David W. Craig, his foreman.

A number of plans for securing a tablet to mark this spot occurred to me from time to time during these passing years, but none seemed feasible until after this property had been acquired by its present owner, the Hawley Pulp & Paper Company. About eighteen months ago Mr. Hawley was interviewed and a tentative plan for a tablet submitted to him. This he accepted and I was bidden to proceed to carry out the idea suggested. No definite time, however, was agreed upon for the fulfillment of the project.

In April of the present year, after learning that the National Editorial Association had arranged to make a coast-wide trip in August, it occurred to me that if the contemplated tablet could be dedicated as a feature on the joint programme of the National and State Editorial Associations it would be well to have the tablet ready for the ceremony of dedication on the date already alluded to. The matter was then referred to Mr. Hawley, and he consented to all the arrangements that I had made, and the editorial associations alluded graciously gave the proposed dedication a place upon the joint programme.

And now, here the tablet is, owing to the public spirit of Mr. Willard P. Hawley, and a photostat copy of No. 2 of *The Spectator*, February 19, 1846, can be seen in his office.

This memorial, mounted on a huge boulder taken from the foot of the cliffs near by where the five Indians who killed Dr. Marcus Whitman, his wife and twelve others, on November 29-30, 1847, were hung on June 3, 1850, is to honor the beginning of newspaper life on the Pacific Coast.\*

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\*The tablet stands on the right hand or west side of Main street, Oregon City, near the office of the Hawley Pulp & Paper Company. When the buildings that are contemplated by this company are erected a recess or alcove will be provided in order that the tablet may be readily seen from the street.



## POLK AND OREGON,—WITH A PAKENHAM LETTER

KATHARINE B. JUDSON, M. A.

The contributions of Mr. Shippee on "The Federal Relations of Oregon, V." in the June Quarterly, reminded the writer of a rather interesting letter written during the Congressional debate, from Richard Pakenham, British Ambassador, to the Earl of Aberdeen, the original of which was found in the London Public Record Office. The letter is given below:

Richard Pakenham to the Earl of Aberdeen.

"Washington, March 29, 1846.\*

"My Lord,

[Formalities, and general reference to the debates in Congress,  
on the Oregon question.]

\* \* \* \* \*

"But a fact which I must not omit to point out to Your Lordship's notice, is, that it seems to have become a received opinion among even the most moderate members of the Senate, that the claims of the United States extend fully to the parallel of 49, which they consider ought to be insisted on as the basis of any arrangement.

"So certain is this, that the advocates of a peaceful settlement of the question are now universally designated as 49 men, in contradistinction to those who go for the whole of Oregon even at the risk of war, and are called 54.40 men.

"In the course of this debate, a good deal of interest was excited by the speech of Mr. Haywood of North Carolina, (Intelligencers of 23rd and 24th March)\*\* who from the intimacy which has long subsisted between him and Mr. Polk was supposed to speak, in a certain degree, the President's opinions.

"Mr. Haywood's language was entirely in favor of compromise upon the basis of 49, and he gave it to be understood

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\*Foreign Office, series 5, vol. 447, No. 34.

that those who imagined that the President was inclined to persist in asserting at all risks a claim to the whole of Oregon, or that he felt bound by the resolution to that effect, passed at the Convention which nominated him to the Presidency, were mistakes.

"This avowal was received with violent indignation by the advocates of extreme measures. I beg leave to request Your Lordship's attention to the extraordinary language made use of on the occasion by Mr. Hannegan of Indiana (*Intelligencer* of 6 March)\*\* who did not hesitate to declare that if it was true that the President thus belied the pledge taken by the Baltimore Convention:—

"The story of his infamy would be circulated from one end of the land to the other, and his perfidious course would sink him in an infamy so profound, in a damnation so deep, that the hand of resurrection could never reach him,—a traitor to his country so superlatively base need hope for neither forgiveness from God nor mercy from man.'

"This is what the President has brought upon himself by the imprudent lengths to which he allowed himself to go in his inaugural address, as well as in his Message of the 2nd December, and in the correspondence of his Secretary of State on the subject of Oregon.

"Fortunately for the country, the party in the Senate who think with Mr. Hannegan, is so insignificant, not numbering as it has repeatedly been asserted in the course of the debate, above a fourth, or as some say, a fifth, of that body, that Mr. Polk need have no fear that he will not be supported amply, both in and out of the Senate, if he should wisely determine to adopt a moderate and pacific course of policy,—but what his real intention in this respect may be, he has given the public no opportunity of judging, since the scene in the Senate of which I have above spoken." \* \* \*

(Signed) Richard Pakenham.

To the Earl of Aberdeen, K. T.

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\*\*Citations by Mr. Pakenham.

# DEATH LIST OF OREGON PIONEERS

June 1-September 30, 1919.

Compiled by GEORGE H. HIMES.

- Applegate, Miss Irene, b. Mo. 1839; Or. 1843; d. Yoncalla, July 25.  
 Baker, Melvin, b. Tenn. 1836; Or. 1853; d. Sherwood, Aug. 15.  
 \*Barger, Mrs. Rebecca Smith, b. Ohio Jan. 1, 1825; Or. 1847; d. Portland, September 22. (Was crowned "Mother Queen" of Oregon Pioneers in June, 1917.)  
 Beard, Ambrose, b. Or. 1855; d. near Fossil, July 29.  
 Benefiel, William Harrison, b. ———— 1857; Or. 1852; d. Portland, Aug. 15.  
 Burns, James H., b. Or. 1851; d. Bridgeport, Baker County, Aug. 7.  
 Burton, Dixon, b. Cal. 1853; Or. 1882; d. Eugene, June 16.  
 Caldwell, Gerald, b. Va. 1827; Or. 1845; d. Williams, Josephine County, Sept. 10.  
 Caldwell, W. H., b. 1849; Or. 1856; d. Aug. 7.  
 Caspell, Mrs. P. A., b. Or. 1856; d. Salem, Aug. 22.  
 Catlin, James, b. Ill. 1834; Or. 1848; d. Palo Alto, Cal., June 16.  
 Chrisman, Pret., b. Mo. 1845; Or. 1851; d. Cottage Grove, Aug. 18.  
 \*Clarke, William Jessup, b. Or. Feb. 24, 1857; d. Portland, June 20.  
 Denver, Mrs. Eva, b. Or. 1859; d. Astoria, June 19.  
 Dunn, Mrs. Cecelia Christian, b. Ill. 1840; Or. 1852; d. Eugene, June 15.  
 Graham, Walter, b. N. Y. Oct. 12, 1828; Or. 1853; d. Seattle, Sept. 15.  
 Griggs, J. A., b. Holland, N. Y., May 9, 1834; Cal. 1852; Or. 1872; d. Cottage Grove, Sept. 20.  
 \*Haley, Mrs. Mary Ann Woodcock, b. Mo. 1842; Or. 1844; d. Portland, June 24.  
 Hamilton, Mrs. Mary C. Mires, b. Iowa 1842; Or. 1852; d. Fossil, Sept. 26.  
 Harbert, Joseph W., b. 1835; Or. 1859; d. Walla Walla, July 27.  
 Heater, Mrs. Mary Jane, b. Aug. 30, 1829; Or. 1850; d. near Newberg, Sept. 4.  
 Hill, Dr. J. L., b. Tenn. 1851; Or. 1853; d. Albany, Aug. 1.  
 Hines, Cicero, b. Mo. Feb. 4, 1846; Or. 1848; d. Gales Creek, Aug. 11.  
 \*Hodgkin, Mrs. Adelaide Jennings, b. Or. Feb. 6, 1855; d. Vancouver, Sept. 20.  
 \*Houck, Mrs. Leah J., b. Mo. Feb. 5, 1842; Or. 1853; d. Portland, Sept.  
 \*Hurley, Mrs. Mary A. McCarver, b. Ill. 1842; Or. 1843; d. Santa Barbara, Cal., Aug. 5.  
 Johns, W. W., Or. 1852; d. Salem, Sept. 27.  
 \*Jones, Mrs. Losia Amelia, b. Ill. 1846; Or. 1850; d. Stevenson, Wash., March 6, 1919.  
 Kandle, Frank M., b. Ind. 1842; Or. 1851; d. Portland, Aug. 15.  
 Keeney, Mrs. M. R., b. Ill. 1857; d. Kalispell, Mont., June 8.  
 Kennedy, Charles, b. Mo. 1850; Or. 1852; d. Portland, Oct. 31, 1918.  
 LaChapelle, Mrs. Adrian, b. Oregon Ter. 1819; d. St. Louis, Or., June 6.  
 Laffey, Mrs. Bernard, b. Mich. 1830; Or. 1852; d. Portland, Aug. 27.  
 Larkins, Cicero Nelson, b. Or. 1857; d. near Oregon City, Aug. 14.  
 Lewis, Mrs. Mary Dunn, b. Iowa 1853; Or. 1855; d. Astoria, Aug. 17.  
 \*Luelling, Mrs. Mary Campbell, b. Mass. 1834; Or. 1849; home at Milwaukie, Or., for many years; d. Orofino, Idaho, Aug. 23.  
 Marquis, James W., b. Mo. 1841; Or. 1850; d. Portland, Sept. 14; served in First Or. Cavalry in Civil War.  
 \*Meldrum, John W., b. Iowa Dec. 17, 1839; Or. 1847; d. near Milwaukie, Sept. 23.  
 Mercer, Mrs. Ann Stiver, b. Eng. 1841; Or. 1852; d. Seattle, Sept. 30.  
 Michals, Girard B., b. 1839; Or. 1847; d. Sedro-Wooley, Wash., July.  
 \*Miller, George R. H., b. Ireland 1832; U. S. 1854; enlisted in U. S. Army at Cincinnati May 18, 1855; Or. that year; d. Oregon City, July 2.  
 Miller, Mrs. Maria A. Probst, b. Or. 1856; d. Knox Butte, Linn County, Sept. 13.  
 \*Moore, Mrs. Margaret Octavia Meldrum, b. Ill. 1836; Or. 1845; d. Portland, Sept. 25.  
 \*Moore, Mrs. Mary Helen McWilliams, b. Mo. 1830; Or. 1845; d. Hillsboro, Aug. 9.  
 Moss, Mrs. Emiline Barr, b. Mo. Nov. 27, 1845; Or. 1853; d. Sept. 11.  
 McCain, James, b. Ind. 1844; Or. 1848; d. McMinnville, Aug. 5.  
 McKinney, John F., b. Mo. 1832; Calif. 1850; Or. 1851; d. Aug. 1.  
 Osborn, Alexander R., b. Utah 1847; Or. 1847; d. Bandon, Dec. 9, 1918.  
 Owen, Mrs. Millie A., b. Or. 1852; d. Nov. 6, 1918.  
 Paquette, Mrs. Monica, b. Canada 1838; Or. 1841; d. Scotts Mills, July 13.  
 Pease, Archie L., b. Oregon City, 1859; d. Portland, Aug. 27.  
 Peterson, Mrs. Louisa Cyrene Denney, b. Or. 1853; d. Beaverton, July 6.  
 Pettys, Amanuel C., b. N. Y.; Or. 1854; d. Ione, June 18.  
 Price, James H., b. Oregon City, June 8, 1847; d. Tacoma. April 10, 1919.

- Robbins, Mrs. E. Ellen Rees, b. Or. Sept. 18, 1851; d. Portland, Aug. 4.  
 Sears, David Walker, b. Mo. 1849; Or. 1850; d. Sherwood, Sept. 9.  
 Shortridge, Mrs. Amelia, b. Ind. 1835; Or. 1853; d. Eugene, Aug. 1.  
 Shrum, Andrew Jackson, b. Mo. 1841; Or. 1846; d. Boise, Idaho, July 23.  
 Simons, Mrs. Elmira Rose Ann, b. Ill. May 30, 1844; Or. 1852; d. Lebanon, June 13.  
 \*Stowell, George, b. Ind. 1838; Or. 1856; d. Portland, Aug. 10.  
 Stowell, Mrs. Letha Amelia, b. Ind. 1834; Or. 1858; d. July 28.  
 Talbot, Miss Ella, b. Or. May 20, 1853; d. Sept. 12. First white child b. on hills west of Portland, so far as known.  
 Turnidge, Joseph Lane, b. Scio, Feb. 3, 1856; d. South Bend, Wash., Aug. 24.  
 Van Atta, William, b. 1841; Or. 1854; d. Vance, Wash., Aug. 11.  
 \*Warren, Mrs. Eliza Spalding, b. Or. Nov. 15, 1837; d. Coeur d'Alene, June 21. The second white child born in Oregon Territory.  
 Wells, Lovell H., b. 1834; Calif. 1855; Or. 1907; d. Portland, Sept. 1.  
 Wilson, Mrs. Angie, b. 1848; Or. 1852; d. Sprague, Wash., Sept. 10.  
 Wilson, Mrs. Hannah Dickerson, b. N. J. 1832; Or. 1847; d. Yoncalla, May 27, 1918.  
 Wild, William H., b. N. Y. 1822; Or. 1848; d. Lostine, July 20.

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*Note*—Only those marked \* joined the Oregon Pioneer Association.



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BRITISH SIDE OF THE RESTORATION OF  
FORT ASTORIA—II.

By KATHARINE B. JUDSON, M. A.

(Continued from page 260)

Meanwhile, the Nor'westers had been very uncertain as to their rights and standing on the North West Coast, not only as indicated by McGillivray's interview with Lord Bathurst, but by the letters of Inglis, Ellis & Co., to Henry Gouldburn.

In one, dated London, July 25th, 1815,<sup>13</sup> they stated they had fitted out for the River Columbia quantities of manufactured goods, solely for Indian trade, but "We have been very much alarmed by reports circulated of other stipulations made in a commercial treaty subsequent to that of Ghent, by which all intercourse of trade is said to be interdicted between His Majesty's subjects and the Indian tribes residing within the territories of the United States." They ask for information, and whether the British Government will protect them, especially on the Columbia, and on the coast north of it, should they "be molested by American citizens or the American government." "We are perfectly aware," they add, "that our own interests in this trade must be sacrificed by necessity to views of public policy." They insist, however, they must have the

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<sup>13</sup> C. O. 42, Vol. 164,

actual situation before investing more money in the Columbia.

Three days later,<sup>14</sup> the firm again wrote to Henry Gouldburn, 28th July, 1815, "to ascertain whether we may rely on the protection of His Majesty's Government in our arduous undertaking of establishing a colony, (to carry on the fur trade between China and the Columbia River) on the shores of the Pacific, which was first discovered and taken possession of by British subjects. . . .

"We certainly would prefer prosecuting the trade as British subjects, unconnected with citizens of any other state, but still from circumstances which have come to our knowledge, it may become absolutely necessary, either to combine our interests in the trade with those of American merchants, or to abandon it entirely, without we have some assurance of protection on the part of our government."

Again on 2nd August, 1815,<sup>15</sup> in a third letter to Gouldburn, Inglis, Ellis & Co. write: "We have established a colony of British subjects on the Columbia River, for the purpose of carrying on the fur trade with China."

Three vessels in two years, they stated, had been sent with Indians goods, "for that trade [Columbia] in which we have involved property exceeding one hundred and fifty thousand pounds sterling.

"We are now assured that that property is subjected to the risk of forcible seizure by American citizens or the American government, on the plea that as British subjects we have no right to carry on trade with Indians within the territories of the United States, which are now said to extend to the shores of the Pacific."

The Nor'westers again demand assurance of safety in carrying on their trade from the mouth of the Columbia to Russian settlements, and from the Rocky Mountains to the sea. If the colony on the Columbia river was on British soil, they could advance trade; otherwise they must abandon it.

The other side of this correspondence will never be known,

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<sup>14</sup> C. O. 42, Vol. 164.

<sup>15</sup> C. O. 42, Vol. 164.

until the long-lost North West Company documents are discovered,—unless burned, or destroyed,—which will probably be in some cellar or attic in Montreal. They are not in London, nor have they ever been in the possession of the Hudson's Bay Company, as stated by Edward Ellice to that Company in a letter of 1825, after the two companies had merged and the English company made inquiry regarding the papers of the Nor'westers.

The year 1815 was a busy one for the Americans, as the British saw it.<sup>16</sup> Aside from the economic problems involved by the great European wars, a rumor was out that Spain had again ceded the Floridas to Great Britain in payment for money loaned during the war in the Peninsula. Secretary Monroe was very anxious about it. That year, also, there was the war with the Dey of Algiers. The Indians were also on the rampage, on the northern and western frontiers, and in the Floridas. The British noted it. And the determination seems to have become stronger at Washington to have the future of the United States troubled with as few neighbors as possible,—and that meant controlling a larger section of the North American continent. War had broken out also in South America, where Spain was fighting her badly-treated colonists.

A bill appeared again in 1816; but the public were paying little attention to the Columbia, at that moment.

By 1817, decisions seemed to have been reached, as shown in a letter from Sir James Lucas Yeo, written from H. M. S. *Inconstant*, Spithead, 30th August, 1817, to John Wilson Croker, Secretary of the Admiralty, London.<sup>17</sup>

The sympathies of the United States were with the Spanish insurgents, he wrote, especially in Florida, trade was at a standstill, and Americans said to be in close touch with the Spanish insurgents on the Pacific. The United States were "indefatigable in training the militia and have removed every

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<sup>16</sup> F. O. 5, Vol. 106. Baker to Foreign Office.

<sup>17</sup> F. O. 5, Vol. 128.

foreigner from their army." Large orders had recently been given to the cannon factory, and everything "portends a restless and hostile spirit towards this country." Meanwhile, in the same letter, Sir James also noted that the *Ontaria*, a U. S. sloop of war, *was sailing* around the Horn with three commissioners and two secretaries "to obtain possession of some island or territory in that quarter, preparatory to their establishing a very extensive commerce in those seas."

To omit the *Ontario* for a moment, a better view is gained of the United States as a whole, by continuing the British comments on the general trend of things. On April 16th, 1818, James Buchanan (a relative of the President of the same name), then British Consul at New York, wrote to Lord Castlereagh:<sup>18</sup>

The acquisition of Louisiana, the claims founded thereon, the seizure of and means used to obtain the Floridas, the energetic increase of the navy, the determination to rival the naval and maritime power of Great Britain, the commercial warfare the United States are now carrying on towards England, the avowed aim to possess Cuba and His Majesty's possession in North America, which pervades all classes, sanctioned by the measures of the executive . . . —well, it made America a rather difficult country for Great Britain to deal with. And it explains John Quincy Adams and the sending of the *Ontario*.

On November 7th, 1817, Charles Bagot wrote to Lord Castlereagh, from his post at Washington:<sup>19</sup>

"A report has been in circulation here that the United States sloop of war *Ontario* who has lately sailed from New York, and which is believed to be destined to the South Pacific, has received instructions to proceed also to the mouth of the Columbia river, I cannot hope to ascertain positively whether this report is well founded or not, but I thought it right to communicate it privately to Sir John Sherbrooke, in order that he may, if he thinks proper, put the North West Company

<sup>18</sup> F. O. 5, Vol. 135.

<sup>19</sup> F. O. 5, Vol. 123.



upon their guard against any design which may possibly be in contemplation of the American government to re-establish the settlement which they formerly attempted to make at the mouth of that river, and of which your Lordship will see by a reference to Mr. Baker's despatch No. 24, of the year 1815,<sup>20</sup> that soon after the peace they endeavored to claim the restitution under the 1st article of the Treaty of Ghent . . . ."

But Simon McGillivray, down in New York City, had also heard rumors, and he took prompt means to communicate with the British representative at Washington, as below:<sup>21</sup>

"New York, November 15th, 1817.

"To his Excellency,  
the British Ambassador.

"Sir,

"I am induced to take the liberty of addressing this letter to your excellency, in consequence of information which I have obtained, relative to the destination of the United States ship Ontario, which sailed about six weeks ago for South America, and which, according to newspaper report, is likely to have gone to the Pacific Ocean.

"I am not at liberty to mention the channel through which I have received the information in question, but it comes from a source which in my opinion entitles it to attention. Otherwise, I certainly should not have presumed to make this application to your Excellency upon the subject.

"My information is that the Captain of the Ontario has instructions to proceed ultimately to the Columbia River, and to seize or destroy the establishment and trade of the North West Company upon that Coast,—what pretext may hereafter be set up to justify this attack I really cannot imagine unless it should be the recent act of Congress prohibiting foreigners from any trade or intercourse with the Indians within the territories of the United States, and the assumption that the country bordering upon the Columbia River form a part of

<sup>20</sup> Quoted above.

<sup>21</sup> F. O. 5, Vol. 123.

their territories. This assumption, destitute of foundation as it can easily be shown to be, is one which the American government has aimed at setting up ever since the purchase of Louisiana, and the attention which they have always directed towards that object affords in my opinion a strong corroboration of the story relative to the Ontario.

“In the month of July, 1815, Mr. Baker, who was then Chargé d’Affaires at Washington, applied to Sir Gordon Drummond, who at that time administered the Government of Canada, for some information relative to the actual situation of the country in question, and Sir Gordon Drummond consequently applied to my brother, who, as the principal director of the North West Company, was of course the person most competent to speak to the facts. I happened at the time to be in Canada, having recently arrived from England, where I usually reside, and where I had the honor of seeing and conversing with my Lord Bathurst upon this very subject, subsequent to the ratification of the Treat of Ghent. Having also been the person chiefly engaged in planning and fitting out the North West Company’s adventures to the Columbia River, from the first suggestion of that undertaking, I necessarily had an intimate knowledge of the particulars which appeared requisite to answer Mr. Baker’s enquiries, and after due consideration and comparison of the information thus possessed by different individuals a statement was drawn up<sup>22</sup> and sent to Sir Gordon Drummond, who transmitted it to Mr. Baker, and that gentleman, whom I had the honor of seeing at Washington afterwards, but before your Excellency’s arrival, acknowledged having received the statement, but discouraged any discussion relative to it which I attempted to introduce.

“I heard no more upon the subject until now, on my way from Canada to England, that the information reached me which has caused this letter, and having among my papers a copy of the statement in question, I take the liberty to enclose it, in case it may be found to contain any thing worthy of your

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<sup>22</sup> See McGillivray statement above.

Excellency's consideration. The state of the country in question still remains nearly the same as at the time this paper was written. Fort George and various trading stations in the interior are held by the North West Company, who have about three hundred persons permanently employed in the trade of the country between the Rocky Mountains and the Pacifick Ocean. We have one vessel now on that coast and another sailed from England with supplies for our people in September last.

"I cannot presume to suggest to your excellency any course to be adopted on this occasion but it appears to me that the question might be put whether the Ontario had any instructions to act [with] hostility towards the British traders on the North-West Coast, and the Columbia River. This, however, I merely venture to submit to your Excellency's judgment, and have the honor to be, &c., &c.

SIMON MCGILLIVRAY."

On November 21st, 1817, Sir Charles Bagot received this notice from Simon McGillivray, that the Ontario was "to seize or destroy the establishments and trade of the North West Company" on the Columbia. In a report to Lord Castlereagh, he wrote:<sup>23</sup>

"Upon receipt of this letter, I thought it my duty to lose no time in endeavouring to ascertain distinctly, from the American government, whether such a measure really was in contemplation; and I accordingly asked for a conference with Mr. Adams, at which I communicated to him the information I received, and requested him to acquaint me whether it had any foundation.

"Mr. Adams appeared to me to be considerably embarrassed by my question, but after a short silence, he said that the Ontario had certainly gone to the North West Coast of America, but that she had not received any orders either to destroy or disturb the trade of the North West Company.

"He then said that I must be aware that the United States

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<sup>23</sup> F. O. 5, Vol. 123.

had long possessed a settlement upon the Columbia River which had been captured during the late war, and that upon the peace, application had been made to Mr. Baker for its restoration, to which Mr. Adams alleged that Mr. Baker merely replied that the fort had been destroyed, and that he believed that no persons would be found there who could make restitution, and that the object of the voyage was to re-establish this settlement; which, he rather seemed to imply, was already in the possession of the United States.

"Having ascertained the fact of which I desired to be assured, I made very little observations upon Mr. Adams' remarks; but in the short conversation which followed, he stated that the Columbia had been first discovered by an American ship which sailed from Boston between the years 1780 and 1790. To this I immediately replied that the coast had been uniformly claimed by Great Britain, as might be seen by reference to the discussions which had formerly taken place with the Spanish government, the only government with whom any discussion upon that subject could arise."

Further than that, Mr. Adams then "only observed that, in his opinion, it would be hardly worth the while of Great Britain to have any differences with the United States on account of the occupation of any part of so remote a territory."

But Sir Charles thought that a ship of war sent to a country claimed by Great Britain was "a serious matter." He had sent an express to Sir John Sherbrooke, asking if they could warn the North West Company through an express sent by their interior posts, overland. The *Ontario*, so Sir Charles noted in a closing sentence, had on board a Mr. Tyler for Peru.

But Sir John's answer<sup>24</sup> was that it was too late for an express overland. The North West Company would send a memorial, to be used as a basis of representations to "the United States cabinet."

On December 23, 1817,<sup>25</sup> the North West Company did present a petition to Sir John C. Sherbrooke, Governor of

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<sup>24</sup> F. O. 5, Vol. 130.

<sup>25</sup> F. O. 5, Vol. 131.



Upper and Lower Canada, and Vice Admiral, asserting their rights to the North West Coast, stating that the *Ontario* "is bound for the North West Coast of America, with intentions hostile to the trade and establishments of the North West Company in that quarter." She was going to Fort George, yet that was a "place not having been taken possession of by right of conquest but by a right founded on the just claims of discovery and previous possession of the country by His Majesty's subjects."

On November 24th, Sir Charles wrote to Lord Castlereagh, in cipher:<sup>26</sup>

"My Lord,

"I have been this day informed by Mr. Adams, in answer to an inquiry which I thought it my duty to make upon the subject of the destination of the United States sloop *Ontario*, commanded by Captain Biddle, and rated at eighteen guns which sailed from New York the 4th of last month [October] that that vessel had been ordered to proceed to the mouth of the Columbia River, for the purpose of establishing the settlement of which the United States were dispossessed during the late war.

"I have thought it proper to lose no time in giving Your Lordship this information.

"I shall write more fully by the packet which will sail in a few days.

"I have the honour to be with great truth and respect,

"Your Lordship's most humble, obedient servant,

CHARLES BAGOT."

Two days later, November 26th, 1817,<sup>27</sup> Sir Charles wrote John Quincy Adams that the post was not captured, but abandoned by agreement, and "as it thus appears that no claim for the restitution of the post can be grounded upon the 1st article of the Treaty of Ghent, and as the territory itself was early

<sup>26</sup> F. O. 5, Vol. 123.

<sup>27</sup> F. O. 5, Vol. 123.

taken possession of in His Majesty's name, and has been since considered as forming a part of His Majesty's dominions, I have to request that you will do me the honour to furnish me with such explanation as you may judge proper of the object of the voyage of the Ontario, so far as it may relate to establishments upon the territory to which I refer, in order that I may be enabled to represent to His Majesty's government . . . a measure in which His Majesty's rights and interests appear to be so materially involved."

On December 1st, Sir Charles wrote to Lord Castlereagh,<sup>28</sup> as follows:

"Washington, December 1, 1817.

"Sir:

"In my private letter of the 3rd of last month, I had the honour to acquaint your Excellency with a report which has been in circulation here respecting the destination of the United States sloop-of-war Ontario. I have since had an opportunity of ascertaining that this report is well founded.

"At an interview which I had a few days ago with the Secretary of State, I communicated to him the information which I had received upon this subject, and I requested that he would inform me whether orders had been given to the Ontario, to proceed to the Columbia River, for the purpose of making establishments in its vicinity, or of disturbing in any way the trade of the North West Company.

"Mr. Adams stated to me in reply, that the Ontario had certainly been directed to proceed to the North West Coast of America, and that she had been instructed to establish a settlement, which the United States had formerly possessed, at the mouth of the Columbia River, and which has not been restored since its capture in the late war, but that she has not received any orders to disturb or interrupt the trade of the North West Company.

"It is not necessary for me to trouble your Excellency, at present, with any examination of the arguments which the American government may design to urge, in support of this

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<sup>28</sup> F. O. 5, Vol. 123.

measure which they have thought proper to adopt, but a reference to Sir Gordon Drummond's despatches to Mr. Baker of the 14th and 31st of August, 1815, will prove to your Excellency that the settlement to which Mr. Adams adverted was not captured during the war, consequently that its restitution cannot be claimed under the 1st article of the Treaty of Peace.

"The enclosed copy of a note which I have addressed to the American government, will sufficiently explain to your Excellency the course which I have thought it my duty to take in this business, until I can receive an answer to the despatches which I have forwarded by this mail to His Majesty's government.

"I have not yet received an answer to this note, nor is it necessary for the immediate purposes of this letter, that I should.

"Whatever may be the grounds which the American government may assign for the step which they have taken, it appears to me to be in the highest degree important, that the Ontario should if possible, find upon her arrival at the Columbia River, that the Territory is in the actual possession of His Majesty's subjects. For this purpose I am anxious to submit to your Excellency's consideration, whether it might not be still practicable, through the means of the interior posts of the North West Company, to convey to such of its traders, as may happen to be upon that Coast, intelligence of the destination and object of the Ontario, which may reach them before her arrival.

"The Ontario sailed from New York on the 4th of October, but as she has been directed to take out Mr. Tyler, who has been charged with some business on the part of the American government in Peru, she will probably be detained some time upon the South West Coast of South America.

"I am fully aware that it will be a matter of great difficulty to make this communication, but it will also be a matter of great delicacy; for it appears to me that unless Your Excellency can entirely rely upon the intelligence of the North

West Company traders in that quarter, clearly to understand, that it is only in the event of their being upon the spot previously to any attempt being made by citizens of the United States to establish settlements, that they are to take into their own hands the assertion of the territory, they may perhaps be induced to dispossess by force American settlers whom they may find there, and by so doing greatly embarrass any negotiation which may hereafter take place upon the subject, if they do not occasion yet more serious consequences.

"I have the honour to be, &c., &c., &c.,

CHARLES BAGOT."

The next day, Sir Charles wrote again to Lord Castlereagh.<sup>29</sup> The letter is somewhat confused. The three commissioners he had mentioned as in the *Ontario*, were he said, presumably Mr. Graham, late the chief clerk in the Department of State, Mr. Rodney, and Walter Jones, District Attorney of the United States in the District of Columbia. The *Ontario*, he said, was originally destined to sail in the summer of 1817 [ which explains the letter of Sir James Lucas Yeo, given above] but was delayed for unknown reasons. So that the three commissioners, so far as Sir Charles could make out—and he seemed to have difficulty in getting exact information on this mysterious *Ontario*—did not sail on the *Ontario*, but went on the frigate *Chesapeake* to South America, in a diplomatic capacity.

On January 6th, 1818,<sup>30</sup> Sir Charles reported to Lord Castlereagh that he had received no answer from Secretary Adams to his note of November 26th regarding the sailing of the *Ontario*.

On January 26th, 1818, Lord Castlereagh notified Lord Bathurst as follows, the draft of the letter only being found in the Records:<sup>31</sup>

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<sup>29</sup> F. O. 5, Vol. 123.

<sup>30</sup> F. O. 5, Vol. 130.

<sup>31</sup> F. O. 5, Vol. 139.



"Draft

"Foreign Office,  
Jan. 26, 1818.

"I have this day addressed to the Lord Commrs. of the Admiralty, acquainting their Ldps [Lordships] that Mr. Bagot, His Ms Minister in America, having transmitted intelligence that the U. S. sloop of war Ontario has been sent by the Amn Govt to reestablish a Settlement on the Columbia River, held by that state on the breaking out of the war, it is H R H's pleasure that in pursuance of the 1st Article of the Treaty of Ghent (without, however, admitting the right of that Govt to the Possession in question), due Facility should be given to the Reoccupation of the said Settlement by the officers of the United States, and I am to request that Your Lp will be pleased to take such steps in furtherance of that object, as you may judge expedient."

[Signed] CASTLEREAGH.

That same January Simon McGillivray sent to Henry Gouldburn the letter in which he states that he had instructed Mr. Keith, in charge of Fort George, to obey any instructions given him with regard to giving up Fort George.<sup>32</sup>

On February 4th, 1818, Lord Castlereagh wrote to Sir Charles Bagot as follows:<sup>33</sup>

"Foreign Office,  
Febr. 4, 1818.

"You will observe, however, that whilst this Government is not disposed to contest with the American gov't the point of possession as it stood in the Columbia River at the moment of the rupture, they are not prepared to admit the validity of the title of the Govt of the United States to this Settlement. In signifying therefore to Mr. Adams the full acquiescence of your govt in the re-occupation of the limited Position which the U. States held in that River at the breaking out of the war, you will at the same time assert in suitable terms the Claim of Great Britain to that Territory upon which the American

<sup>32</sup> F. O. 5, Vol. 139. (Enclosure by Gouldburn, Feb. 2, 1818.)  
<sup>33</sup> F. O. 5, Vol. 129.

Settlement must be considered as an encroachment. You will at the same time acquaint that Minister, that whilst your Govt could not but view with some surprise and regret the departure of the Ontario for the purpose of re-occupying the Port in question, without any previous concert with yourself, for the regular and amicable transfer of this possession, that your Court have nevertheless lost no time, as will appear by the enclosed instructions, in taking such steps as depended on them, in order to obviate any unpleasant collision.

"It appears from your Despatch that Mr. Adams, in conversation, attempted to account for this on grounds of a former reference to Mr. Baker, but upon turning to the correspondence which then took place, it does not appear to this Govt that anything which then passed would justify the Govt of the U. States in taking such a step without at least some previous communication with you.

"In adverting to this point with the American Secretary of State, which brings pointedly into view the unsettled nature of the pretensions of the two govts in the whole extent of their Frontier to the Westward, from the Lake of the Woods to the Pacific Ocean, adverting also to the omission in the Treaty of Ghent of any provision for the demarcation of Limits beyond the point above referred to, it has appeared to the Prince Regent's Govt insistent with the friendly Spirit of our existing relations, to take measures for settling our Boundaries with the U. States throughout the whole of this line."

It was easier, Lord Castlereagh stated,—and this was always the position taken by the British Government, right up to the Treaty of 1846—to settle the boundary before the country was settled and while it was little known, because there were fewer difficulties, one way and another, with settlers. A new motive now was the treaty of America with Spain, giving the Americans the old Spanish rights, such as they were, and Bagot was therefore ordered to try to settle the boundary question if he could.

The easiest way to do this, Castlereagh thought, was by a

supplement to the Treaty of Ghent, or by additional articles, and the United States was to be requested to give its Minister in London power to sign such article. And he thought it well to begin on the Coast.

Meanwhile the *Ontario* reached Valparaiso, then blockaded, between January 19th and February 1st, 1818. Commander Bowles,<sup>34</sup> under date of February 18th, 1818, reported:

"The arrival of the *Ontario* at Valparaiso caused much speculation. She carried out a Mr. Prevost who was said to be high in the confidence of the present President [of the U. S.]. He (Prevost) went immediately to Santiago, visiting General San Martin's quarters on his way."

Prevost was to remain in Chili a month or six weeks at least, while the *Ontario* was to go to the Columbia. She sailed immediately after the Battle of Maypie; had returned in late June.

Orders from the British Government to the North West Company were received by Commander Bowles, at Rio Janeiro on April 19th, 1818, enclosed from London in a letter of January 27th. The *Blossom* was to be sent to the Columbia. The *Blossom* reached Valparaiso on 16th of May. On June 1st, Earl Bathurst's orders were sent to Captain Sheriff, the *Blossom* to be detached immediately for service to the Columbia. The *Blossom* sailed July 12th, under Captain Hickey, some two or three weeks after the *Ontario* had returned to Valparaiso. Prevost was fully empowered to receive possession.

Meanwhile on June 2nd, Sir Charles Bagot wrote to Lord Castlereagh as follows:<sup>35</sup>

Washington, June 2, 1818.

"My Lord:

"Upon receipt of your Lordship's despatch No. 7, of the 4th of February last, I immediately communicated to Mr. Adams the acquiescence of His Majesty's Government in the re-occupation, by the United States, of the position held by them upon the Columbia River prior to the late war. I stated

<sup>34</sup> Admiralty 1, Vol. 23.

<sup>35</sup> F. O. 5, Vol. 132.

to him that His Majesty's Government entertained no doubt of the United States being entitled under the provisions of the 1st Article of the Treaty to resume possession of whatever was held by them at the moment of rupture which was not subject to the exceptions made by the 4th, 5th, 6th, and 7th articles; and I acquainted him with the orders which were given to prevent any interruption being offered to the re-establishment of the Post in question. In conformity, however, to Your Lordship's instructions, I did not disguise from him that His Majesty's Government had seen with some regret the irregular mode in which the United States had seen fit to resume possession of the settlement; and I took the opportunity of laying a general claim, on the part of the British Crown, to the territory upon which it had been made.

"Mr. Adams appeared to receive what I said in good part. He stated that in fact the American government put very little value upon the post of Astoria. That the Ontario had received her orders before he had entered upon the duties of his office, but that he could assure me that she had been instructed not to commit any act of hostility or force whatever and that with regard to her having been despatched without previous concert with me, he could take it upon himself to say that it was entirely owing to the belief founded upon a statement formerly made by Mr. Baker, that there was no person upon the spot by whom a formal surrender could be made."

Sir Charles urged upon Secretary Adams the settlement of the whole question of contiguous boundaries. And Secretary Adams agreed, adding other points, such as the fisheries question, slaves, colonial trade, etc. The letter continues:

"Mr. Adams informed me that he had been directed by the President to assure me that the circumstances of the Ontario having been despatched to the Columbia River without any intimation being given to me of her destination, was entirely incidental; that she had received her instructions whilst he was at New York on his tour to the northern frontier, and that



in the pressure of business there, he had omitted to direct the proper communication to be made to me upon the subject." . . .

But if the Ontario was originally destined to sail in August, one wonders whether this excuse was entirely truthful.

Meanwhile, in August, the Ontario arrived at the Columbia; and we have reason to think from other reports that it was one of the soft summer days at the mouth of the river, when the river flowed swift and wide and blue as it does today, on a sunny August day, under a blue sky, though lashed to gleaming whiteness in the crashing breakers on the bar. James Keith tells the story, two months later, in October, and a ludicrous yarn it is, to any one with a sense of humor; though Keith had no intention of being humorous.

Captain Frederick Hickey of the *Blossom*, sent in his formal request to the fur trader:<sup>36</sup>

H. M. S. Ship Blossom,  
Columbia River,  
Oct. 4, 1818.

To James Keith, Esq.,  
Fort George.

Sir: Upon the restitution of the post and settlement of Fort George to the American Government, I request that you will have the goodness to furnish me with an exact account of its state and condition, and with such other information as you may deem of importance should be communicated to His Majesty's Ministers.

I have the honor to be, &c., &c.

FREDERICK HICKEY.

And the fur trader promptly replied, with full details, and then gave the story of the Ontario. Part of this is published in the U. S. Government documents, but not the Ontario episode.<sup>37</sup>

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<sup>36</sup> F. O. 5, Vol. 147.

<sup>37</sup> F. O. 5, Vol. 147.

"Fort George, Columbia River,  
7th October, 1818.

"To Captain Frederick Hickey,  
H. M. Ship Blossom.

"Sir:

"In compliance with your request conveyed to me in your communication of the 4th instant, of being furnished with an exact account of the state and condition of this settlement on its restitution, together with such further information as I might deem of importance to be communicated to His Majesty's Ministers, I shall first advert to the number of its inhabitants who (myself excepted) were and still are, under either written or verbal agreements, as servants of the North-West Company; consisting of two gentlemen clerks, and one surgeon of Scotch parents, one overseer, seventeen engagees, including mechanics, and mostly Canadians; twenty-six natives of Owhyhee, and one Indian boy (native of the soil) who added to two Owhyhees absent, and sixteen trappers, Canadians and Iroquois employed by the Company among the surrounding tribes to hunt skins, form a grand total of sixty-six persons, exclusive of women and children who may properly be said to belong to the settlement; and with regard to the minor establishments in the interior of this River, supplied from and dependent hereon, the number of people employed, the extent of our trade, annual produce, prospects, and mode of conducting it, it would too far exceed my intended limits to detail, and otherwise I presume is not altogether unknown to Government.

"As to the progressive improvements and material changes the settlement has undergone subsequent to our purchasing it from the American Company in October, 1813, and which have been extended with immense labour and heavy expenses, you will be enabled to form an imperfect idea from the extent it occupied under that concern, the nature and properties of buildings raised with precipitancy to protect persons and properties from the injuries of the weather, as well as the attacks of the Natives, and the prospects which a five years quiet

possession now open to view, and which joined to your own observation, the minute sketch of one of your officers I trust will sufficiently demonstrate.<sup>38</sup>

“With regard to the transfer, it ought to have been considered by the party benefited thereby, as one of those fortunate contingencies seldom to be met with; what the said party upwards of three months antecedent to such transfer had otherwise fully resolved to abandon by the dissolution of their concern, as expressed at full length in the preamble [of the bill of sale of Astoria]. But to return to my subject; the principal arms and ammunition we now possess consist of two long 18-pounders mounted in the square of the buildings, six 6-pounders, and four 4-pounders. Guns; two 6-pounder co-horns and seven swivels stationed in the block houses and on the platforms, besides blunderbusses, muskets, and fusils; there are upwards of eight hundred round and cannister shot for the cartridge guns, principally 18 and 6-pounders, together with a certain proportion of powder, ball, etc., part of which is indispensable for the trade, etc., and the gross amount of property (buildings excluded) on a rough estimate, cannot, I conceive be over rated at about £30,000. The Natives are very numerous and much addicted to theft, lying, and plunder, and though with few exceptions we have hitherto kept smooth with them without which we must long ere now have ceased to be a trading establishment, we require to be vigilant, circumspect, and much on our guard. These I conceive constitute the leading points which your communication embraces.

“One circumstance, however, I had almost omitted. I allude to the manner of Captain Biddle’s last visit. By the *Levant*, a Boston vessel, freighted with part of our annual supplies, and from on board of which were landed 80 to 90 bags of Spanish flour belonging to the Ontario we were informed by verbal authority, founded on conjectures, that the latter was destined hither for the purpose of taking possession either of the settlement, or of the country, but having entertained similar suspicions the preceding summer and moreover conceiving it

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<sup>38</sup> *Ore. Hist. Quarterly*, V. XIX, pp. 276-82; V. XX, p. 30, T. C. Elliott.

a mere piece of formality which I had every reason to think the British Government could not consistently wink at, I felt perfectly easy and secure until the Ontario arrived off Cape Disappointment, on the morning of the 19th of August, followed by Captain Biddle's appearance about 3 p. m. Accompanied by a strong party, including officers, in three boats, apparently well armed, only Captain Biddle and his Surgeon landed at the settlement, the others being immediately ordered off, conducted by one of my men to Point George, to cut spars.

"Exceedingly social and polite, but not the most distant intimation of the object of this visit of which, as if studious of exciting the least suspicion, he glossed over the circumstances of the arms, etc., from his apprehensions of the Natives. With much reluctance (from our having a superabundance) and not till after repeated solicitation, I gave him bills on Canada for the flour, and towards 5 p. m. accompanied by another of my men in an Indian canoe rowed by the natives, Captain Biddle and surgeon set off to join their party, giving to understand they would proceed on board; however, learning that they had encamped where my people left them, I next morning despatched the same two men with some fresh supplies, who soon after returning with accounts of their departure, reported having seen a board unusually painted and nailed upon a tree in a rather secluded and unfrequented place on Point George about one-half mile hence, whereon we found inscribed in large characters:

Taken possession of in the name and on  
the behalf of the  
United States

By Captain James Biddle, commanding the  
United States Sloop of War, Ontario  
Columbia River, August 1818

"Such mysterious and unaccountable proceedings, of which the subsequent reports of the Natives, joined to the gloomy, desponding conjectures of my own people rather aggravated the unfortunate impression, excited the most anxious and painful sensations at what would probably be the next step and so



far operated to redouble our vigilance that on your arrival with J. B. Prevost, Esqr., every gun was shotted and small arms ready for all hands. The agreeable contrast since experienced it would be deemed flattery in me to dwell upon. Justice, however, demands that I should bear testimony to the handsome, unassuming, yet dignified manner in which Mr. Prevost comported himself, during the late changes and though much disappointed in my expectations relative to the pledges of security and publick faith, without which no commercial body can promote their own, much less contribute to the national prosperity, I attribute the cause solely to his circumscribed powers and must act accordingly. There is nothing of a public or private matter connected with the late change, of which you have not official documents; or are perhaps acquainted with, excepting my communication with Mr. Prevost together with his replies,<sup>39</sup> copies of which I herewith transmit you, and as your short stay precludes the possibility of my completing the various papers I intended forwarding for London, as well as Canada, I request that you will be pleased to hand the present for the perusal of Mr. Prevost to enable him to extract such materials for the information of the Government of the United States, as he may think proper to lay before them.

I have the honor to be, sir, your obedt & humble servant,

JAMES KEITH.

"To Frederick Hickey, Esq.,  
Captain H. M. S. Blossom,  
Bakers Bay."

Meanwhile, on the other side of the continent, British commissioners and John Quincy Adams were debating a treaty which should settle the boundary of the North-West Coast of America. In orders to F. Robinson and Henry Gouldburn from Lord Castlereagh, dated London, August 24th, 1818, he gave as a fifth point to be considered in the commercial treaty under consideration :<sup>40</sup>

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<sup>39</sup> F. O. 5, Vol. 147; also V. 2, Miscellaneous American State Papers.  
<sup>40</sup> F. O. 5, Vol. 138.

"5th. The position on the Columbia River occupied by the Americans, and now ordered to be restored to them in pursuance of the first article of the Treaty of Ghent, but under a protest as to their right to the same."

If actual doubt existed as to sovereignty, the commissioners were to consider a species of stipulation which would serve the rights of all states from being prejudiced by a transaction to which the British government were then parties—so read Castlereagh's instructions. He urged them to adopt some principle of demarkation, such as a parallel, to save delay and expense of survey. The question was to be settled if possible by amicable discussion, or referred for adjudication similar to the 4th, 5th and 6th articles of the Treaty of Ghent.

During the discussion on the North-West Coast of America, incident to the joint-occupancy treaty, three subjects: the Columbia River, the North-West boundary, and the problem of captured negroes, the United States refused to submit to arbitration, because (1), of the difficulty of an impartial arbitration, and (2), because the United States preferred to keep its own affairs to itself. So wrote Henry Gouldburn to Lord Castlereagh, August 29th, 1818.<sup>41</sup>

A month later, September 26th, 1818, Gouldburn wrote to Lord Castlereagh with regard to the American claims on the North-West Coast of America, and one can fairly feel the gasp of amazement in his letter. The words in italics were underscored by him. He wrote:<sup>41a</sup>

The "article for settling the boundary to the westward of the Rocky Mountains, claimed on the part of the United States, an extent of territory beyond what had ever been contemplated as belonging to them.

"They stated it generally to rest *on the right of prior discovery and occupation*, but in the statements which they subsequently made, they appeared rather to address agreements in support of their claim to the mouth of the Columbia River, than to the whole of the interior territory which the terms of their article conveyed to them."

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<sup>41</sup> F. O. 5, Vol. 138.

<sup>41a</sup> F. O. 5, Vol. 138.

The Treaty of 1818, with one paragraph making the Oregon country a joint-occupancy country was the result. But the restoration of Astoria, as a post, had been secured—a private fur company's post, claimed after its sale, by the American government, as a national possession.

Under the circumstances one is hardly surprised at what happened a few years later.

Something of the British view again, is shown in a letter from Lord Castlereagh to Stratford Canning, then British Minister at Washington, under date of August 7th, 1820, in response to a worried letter from Canning. It was marked "Confidential":<sup>42</sup>

"The tendency of the American government is rather to contentious discussion. The ancient relations of the British and American nations, and the jealousies as yet imperfectly allayed, incline the Govt of the United States to maintain their pretensions in discussions with us, perhaps in deference to those prejudices, in a tone of greater harshness than towards any other Government whatever. The American people are more easily excited against us, and more disposed to strengthen the hands of their Ministers against this than against any other state. Time has done a good deal to soften these dispositions, and the more we can permit them to subside by avoiding angry discussions, the less will the American Govt be capable of contesting unreasonably those various points which the reciprocal interests of the two countries may from time to time be expected to present themselves for adjustment."

Castlereagh continued that he looked for an "abatement of that most unbecoming acrimony which has generally been prevalent between these two nations since the period of their separation."

Six months later came an example of this. On January 28th, 1821, Stratford Canning wrote an eighteen-page letter, on heavy plate paper, in "fair round hand," to Lord Castlereagh: but it was the letter of a startled statesman.<sup>43</sup> Having heard

<sup>42</sup> F. O. 5, Vol. 150.

<sup>43</sup> F. O. 5, Vol. 157.

much about the occupation of the Columbia—Floyd's annual bills had been appearing regularly—he went to Mr. Adams about it. The reduction of the army was under debate in Congress, when a member asked if this was prudent when the United States were planning a settlement on the Columbia. The bill to occupy the Columbia had been read twice. The bill began that "The President of the United States be, and he is hereby authorized and required to occupy that portion of territory of the United States on the waters of the Columbia River . . ." It gave lands to settlers and prescribed a government. It was H. R. 222, of January 25th, 1821. It was read twice and was to come before the Committee of the Whole the day after Canning's letter, that is, January 29th. He enclosed a copy, with a newspaper letter from Mr. Robinson, author of a book on Mexico.

Canning therefore called upon Mr. Adams, though knowing the "peculiarities of Mr. Adams' character," but with confidence, since their relations had been "satisfactory and confidential heretofore."

"Mr. Adams replied in the most determined and acrimonious tones, that the United States *did* probably mean to make a new settlement on the Columbia, and that they had a perfect right to do so, the territory being their own."

Being asked if this answer could be said to come from the Government, "he replied, with increased asperity, in the affirmative. He seemed determined to consider my interference respecting the Columbia as offensive and unwarranted." In the course of further conversation, he expressed "an emphatic repetition of the right—the undisputed, indisputable right—of the United States to the territory of the Columbia and an utter denial of any right on my part, as British Minister, to interfere with their eventual arrangements on that head."

Canning quoted Lord Castlereagh's remark, in a letter of February 4th, 1818, to his predecessor, Sir Charles Bagot, that "It is always more easy to come to an arrangement on such subjects where the territory in discussion is little known, or little cultivated, than where enterprise and industry have led



to settlements which cannot be abandoned without loss, and cannot be ceded without the alienation of subjects owing allegiance to one or another state."

Mr. Adams promptly replied regarding Great Britain's position in 1818,

"That he considered the claim then put forward as a mere *chicaine* of the moment. What more, he exclaimed, would England grasp at? Could it be worth while to make a serious question of an object so trifling as the possession of the Columbia? What would be thought in England if Mr. Rush were to address the Secretary of State on the occasion of a regiment being destined for New South Wales, or the Shetland Islands? The United States had an undoubted right to settle wherever they pleased on the shores of the Pacific without being molested by the English Government and he really thought they were at least to be left unmolested on their own continent of North America."

Those eighteen pages are rather interesting reading.

But Lord Castlereagh, determined to keep peaceful relations between the two countries, wrote to Canning, on April 1st, 1821,<sup>44</sup> directing him not to renew the discussion of the Oregon question without special instructions from the king. He reminded him that by article 3 of the treaty of 1818, "The rights of both parties were saved for subsequent adjustment, but no attempt was made either to determine those rights, to define what might be regarded as the existing state of occupation, or to preclude either party from forming new settlements within the disputed territory during the period, viz., ten years . . . together with the reservation of any right which the formation of such settlement might either appear to impeach or establish. Whatever therefore may be the pretensions of Great Britain upon the Columbia River, they must be urged on antecedent grounds of right. . . . But it is not His Majesty's intention under present circumstances to provoke any discussion with the American Govt on the final adjustment of these claims."

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<sup>44</sup> F. O. 5, Vol. 156.

On April 27th, 1821, Minister Canning reported to Lord Castlereagh, after another interview with Adams.<sup>45</sup>

"Mr. Adams went on to say that he hoped nothing would occur for a long time to weaken those mutual dispositions" to good will between the two nations.

A little aside from the above, and yet in close connection with it, is a letter from Sir Charles Bagot to Lord Castlereagh, dated Washington, March 6th, 1819:<sup>46</sup>

". . . A small expedition is preparing by the Government, under the command of Major Biddle of the United States army, for the purpose of ascending to the source of the Missouri River. This expedition, which is entirely unconnected with that of the Yellowstone River, is to be performed by means of a steam boat which is to draw eighteen inches of water only. Upon reaching the source of the Missouri, Major Biddle hopes to be able to carry the steam machinery of the boat to the other side of the Rocky Mountains, where he proposes to build another vessel, in which he will descend the Columbia River to its mouth, where he may expect to meet with the Ontario, sloop-of-war, commanded by his brother. Major Biddle appears to be of the opinion that this expedition will occupy about two years. There can, I think, be little doubt that it is connected with some proposed establishment at the mouth of the Columbia which has for its object the double purpose of securing the fur trade, and promoting the American whale fishery in the South Seas."

THE END.

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<sup>45</sup> F. O. 5, Vol. 158.

<sup>46</sup> F. O. 5, Vol. 142.

## THE NORTHWEST BOUNDARIES

(Some Hudson's Bay Company Correspondence)

By T. C. ELLIOTT.

The documents presented herewith are supplemental to that printed at pages 27-34 of this volume of the quarterly and are taken from the same source and very little need be said by way of introductory comment. These are of special interest as showing the intimate connection of the Hudson's Bay Company with the British cabinet in 1825-26; Messrs. Henry Addington and William Huskisson being the two commissioners appointed by Secretary George Canning to discuss with representatives of the United States the question of the Northwest Boundaries. These are also of interest when compared with our own congressional reports and speeches during the period of 1821-27, showing that the British were then concerned only in the trade in this Columbia River Country while the attention of Americans was already being directed toward occupation and settlements. It was in 1825 that Senator Thomas H. Benton first uttered his oft-quoted declaration that the ridge of the Rocky Mountains should forever remain as the western terminus of the government of the United States; an opinion which he later directly reversed.

At the time of reorganization following the coalition of the North-West Company and the Hudson's Bay Company in 1821 Mr. George Simpson was placed in charge of all the properties, men and business of the last named company in North America, and hence came to be known as the "governor of Rupert's Land"; Mr. J. H. Pelly of London was governor of the Hudson's Bay Company. Two years, 1822 and 1823, were necessary to reconcile differences and reorganize the business East of the Rocky Mountains, but after the regular summer council meeting in 1824 Governor Simpson started from York Factory on Hudson's Bay for his first personal visit to the Columbia District, Dr. John McLoughlin accompanying him to assume the duties

of manager of the district. The winter of 1824-25 was spent at Fort George (Astoria) and in selecting the location for the new trading post to be called Fort Vancouver and Governor Simpson returned to the East side of the mountains in the spring of 1825, having personally visited all the trading posts in the district except those at Thompson River, the Kootenay river and among the Flatheads. His knowledge of the Columbia River basin in 1825 cannot be said to have been complete but was not superficial. His replies to Messrs. Addington and Huskisson were therefore partizan rather than ignorant.

These documents should be read in connection with that in this Quarterly for March, 1919, already cited, and also in connection with the valuable contribution upon The Federal Relations of Oregon (L. B. Shippee) in this Quarterly for September, 1918.

(DOCUMENTS)

Journal 721, p. 261)

Mr. Henry Addington presents his compliments to Mr. Simpson, and having received Mr. Secretary Canning's directions to communicate with Mr. Simpson on the subject of the Columbia River and North-West Boundaries with a view to the final adjustment of those important questions with the Government of the United States he is desirous of arranging an interview with Mr. Simpson and in so doing wishes to consult Mr. Simpson's convenience equally with his own.

He therefore requests that Mr. Simpson will have the goodness to let him know at what hour and day, and where it would be most convenient to him to favour Mr. Addington with an interview.

191 Regents Street, 28th Decemb: 1825.

Mr. Simpson presents respectful compliments to Mr. Addington will have much pleasure in communicating with and giving him all the information he possesses in regard to the Columbia River and North-West Boundary; for which purpose Mr. Simpson will do himself the honour of waiting on Mr. Addington when and where he may be pleased to appoint, Mr. Simpson's time being quite at Mr. Addington's disposal.



Hudson's Bay House, 29th Decr. 1825.

Mr. Addington presents his compliments to Mr. Simpson, and requests the favor of a visit from him agreeably to his proposal at one o'clock p. m. to-morrow, if perfectly convenient to Mr. Simpson.

Thursday 29th December 1825.

191 Regent Street,  
30th December, 1825.

Sir: I inclose herewith the set of queries on which I wish for more particular information.

The answers to them may be as concise as is consistent with perfect perspicuity. The more matter of fact they are, the better. That to query IX, I wish to be as strictly conformable to fact and history as possible. I am, Sir,

Your very obedt. humb; servt.,

H. W. ADDINGTON.

P. S.—Be so good as to send your answer whenever it may be ready addressed to me at the Foreign Office.

Mr. Henry Addington requests that Mr. Simpson will have the goodness to send in the answers to Mr. A's queries (when-ever they shall have been finished at Mr. Simpson's entire leisure) addressed to him at his own lodging which he has changed, instead of to the Foreign Office, 194 Regent Street, Jan'y 4th, 1826.

Mr. Simpson presents respectful Compliments to Mr. Addington, begs to hand him answers to his list of Queries likewise a corrected chart of the Country on both sides of the Rocky Mountains; should Mr. Addington require further information on this important subject Mr. Simpson will do himself the honour to wait upon him at any time he may appoint.

Hudson's Bay House, 5th Janry, 1826.

Q. 1. What is the nature of the soil, its capability of production, and general character in the vicinity of the Columbia and Lewis's<sup>1</sup> Rivers? What the climate?

A. The banks of the Columbia on both sides the River from Capes Disappointment and Adams to the Cascade Portage a distance of from 150 to 180 miles are covered with a great variety of fine large timber consisting of Pine of different kinds, of Cedar, Hemlock, Oak, Ash, Alder, Maple and Poplar

<sup>1</sup> Snake River.

with many other kinds unknown to me. The soil of the low grounds is alluvial and found very productive, that of the high grounds a rich black mould, chiefly composed of decayed vegetables. Some of the points formed by the windings of the river are extensive and beautiful with sufficient timber for use and ornament, and where the plough may be used immediately and the point on which the Company's Establishments of Fort Vancouver is situated is from its extent and from the fertility of its soil capable of producing large quantities of grain of every kind of pasturing numerous herds of cattle and nutritious roots are so abundant that almost any number of Hogs may be reared.

The climate delightfully temperate from the month of April until the month of October, and from November until March rainy with little or no Frost or Snow.

From the Cascade Portage to the entrance of Lewis's River, the banks are sterile, the Soil very Sandy producing Stinted Grass and willows and little or no timber. The Country in the vicinity of Lewis's River I understand is level and generally fertile but I cannot speak with certainty on this point not having had an opportunity of visiting it personally except at its junction with the River Columbia.

Q. 2. Are the natives on the Northern bank of the Columbia warlike or pacific, inclined or averse to intercourse with the whites? Is the Country between the Rocky Mountains and the Columbia densely or thinly inhabited?

A. The different Tribes on the banks of the Columbia are generally bold and warlike as regards each other and extremely jealous of any encroachments on each others Territory or privileges, but peaceable and well disposed towards the whites with whom they are very anxious to maintain a friendly intercourse. Occasional differences I understand took place when we first entered the Country in which some lives were lost on both sides but at present the best understanding exists between us and them. The Country is densely inhabited, on account of the great abundance of its resources in the way of living.

Q. 3. Is there good hunting ground immediately on the northern bank of the Columbia?

A. The hunting grounds immediately on the Northern banks of the Columbia are nearly exhausted in respect to furbearing animals, but the back country is still productive and Beaver are found in all the small Rivers and Lakes.

Q. 4. What, on a rough calculation are the annual profits of Trade in the district of Columbia and do they arise from

the Northern or Southern portion of that district principally?

A. The Trade of the Columbia district is yet in its infancy and the countries to the Northward and Southward produce about an equal quantity of Furs amounting together in value to between 30 and £40,000 pr. annum.

Q. 5. Have the Americans any Post or trapping parties on the Columbia or to the West of the Rocky Mountains in that direction?

A. The Americans have not had a Post on the West side of the Rocky Mountains since the year 1813, and I am not aware that they ever had any Trapping parties on the West side of the Mountains until last year when the Hudson's Bay Company's Snake Country Expedition fell in with five Americans who had straggled across the sources of the Missouri.<sup>2</sup>

Q. 6. Is the Country Northward of the Columbia favourable for Land and Water communication?

A. The Country to the Northward of the Columbia is not favourable for water communication with the Coast on account of the impetuosity of the current at particular Seasons in the different rivers and frequent chains of rapids and dangerous falls, and the Communication with the Coast by Land is quite impracticable on account of the mountainous character of the Country which is covered with almost impenetrable forests.

Q. 7. For what extent of Country does the Columbia River furnish an outlet for Trade? Specify this exactly and according to the latest and most accurate accounts?

A. The Columbia is the only navigable river to the interior from the Coast we are acquainted with, it is therefore the only certain outlet for the Company's Trade west of the Mountains comprehending that of thirteen Establishments now occupied:<sup>3</sup>

- |                     |                      |
|---------------------|----------------------|
| 1. Ft. Vancouver.   | 7. Kilmany.          |
| 2. Nez Perce.       | 8. Fraser's Lake.    |
| 3. Okanagan.        | 9. Ft. St. James.    |
| 4. Colville House   | 10. McLeod's Fort.   |
| 5. Flat Head        | 11. Chilcotin Fort.  |
| 6. Kootenais.       | 12. Thompson's Fort. |
| 13. Alexandria Fort |                      |

Q. 8. What time is required for communication between Hudson's Bay (York Fort) and Fort Vancouver?

A. I was last year occupied 84 days traveling from York

<sup>2</sup> These were Jedediah Smith and others. See *Or. Hist. Quar.*, Vol. 14, page 385. Also see *The Ashley-Smith Explorations* (Dale), page 97.

<sup>3</sup> See Note 17 at page 33, Vol. 20, *Or. Hist. Quar.*

Fort, Hudson's Bay to the mouth of the Columbia, but I think the journey can be performed in the height of the season: in a light canoe, unincumbered with baggage for the water communication and with good horses for the journey by Land which may be about  $1/6$  of the whole distance, in 2 months or 65 days by a different route<sup>4</sup> to that which I took.

Q. Upon what foundation does the assertion rest that "British subjects had been trading on the Coast in the vicinity of the Columbia, prior to Gray's voyage thither in 1788?"

N. B.—Consult every authority within reach on this point and state the fact if anywhere positively ascertained, accompanied by date, and specification of the point which such persons opened an intercourse with the Natives.

A. Both Meares' and Vancouver's Voyages confirm the assertion that "British subjects had been trading on the coast in the vicinity of the Columbia prior to Gray's voyage thither in 1788 Vizt. In Meares' observations on the probable existence of a North-West passage page 55 it is stated "that the Imperial Eagle Captn. Barclay sailed from Europe beginning 1787 and not only arrived at Nootka Sound in August but explored the Coast from Nootka to Wacananesh and so on to a Sound to which he gave his own name. The boat's crew was dispatched and discovered the extraordinary Straits of John de Fuca, and also the coast as far as "Queenhythe" within 30 to 40 miles of the Columbia River "when after the fatal catastrophe which happened to some of them, the ship quitted the Coast and proceeded to China having performed the whole voyage in twelve months." The following note appears in Meares' Journal page 124: "The Imperial Eagle was a Ship employed to collect Furs on the Coast of America, in 1787, in the course of its business the Captain dispatched his long boat from King George's Sound on a trading expedition as far as 47 degrees North. She then anchored abreast of a river, the shallowness at whose entrance prevented the long boat from getting into it." A small boat however, which was attached to the other was sent up the River with Mr. Millar an officer of the Imperial Eagle, another young Gentleman and four seamen. They continued rowing till they came to a village where they were supposed to have been seized and murdered by the Natives, as their clothes were found afterwards stained with blood."<sup>5</sup>

By Meares' Journal pages 163 to 168 it appears that on the

<sup>4</sup> In 1841 Gov. Simpson followed this different route and journeyed from Fort Garry on Red River to Fort Vancouver in less than sixty days.

<sup>5</sup> This incident occurred at the mouth of Hoh River in the State of Washington, fully 100 miles north of the mouth of the Columbia River.



5th July 1788 he traded with Natives of Cape Shoalwater in about Lat. 46, 47 N. and on the 6th he named "Cape Disappointment" calling the mouth of the Columbia Deception Bay, making it by an indifferent observation in Lat. 46.10 Lon: 235.34. In page 219 same Journal (17th Sept. 1788) it is stated that Mr. Gray in the Washington joined him at Nootka Sound, that vessel had sailed in company with the Columbia from Boston in August 1787, they separated in a gale of wind in Lat. 59 South and had not seen each other up to that time. Mr. Gray informed Meares that he had put into a Harbour on the Coast of New Albion where he got on shore, and was in danger of being lost on the Bar, was attacked by the Natives and had one man killed and one of his officers wounded. The harbour could not admit vessels of a very small size and must lie somewhere near Cape Lookout; Meares in page 220 further says that he (the Master of the Washington) "appeared to be very sanguine in the superior advantages which his Country Men from New England might reap from this track of Trade, and was big with mighty Projects in which we understand he was protected by the American Congress." It, therefore, appears evident that up to this period, Gray knew nothing of the Columbia and that the Americans were total strangers to the Country and Trade of the North-West Coast altogether.

Vancouver's Voyages Volume 2 page 53 April 1792 states that the River Mr. Gray mentioned should from the situation he assigned to it, have existed in the Bay, South of Cape Disappointment. Mr. Gray stated that he had been several days attempting to enter it and at length he was unable to effect it in consequence of a strong outset.

Page 388 same Work October 1792 Vancouver prepares to examine the Coast of New Albion and particularly a River and Harbour discovered by Mr. Gray in the (Ship) Columbia between the 46th and 47th degrees of North latitude of which Senr. Quadra had given him a Sketch.

Vol: 3 page 124 Decbr. 1792 "The Discovery of this River we are given to understand is claimed by the Spaniards who call it *Entrada de Ceta* after the Commander of the Vessel who is said to be its first discoverer, but who never entered it, he places it in 46 degrees North Latitude; it is the same opening that Mr. Gray stated to us in the Spring (1792) he had been nine days off the former year (1791) but could not get in in consequence of the out setting current. That in the course of the late Summer (1792) he had however entered the River or

rather the Sound and had named it after the Ship, he then commanded (Columbia).

The extent, Mr. Gray became acquainted with on that occasion, is no further than I have called Gray's Bay (15 miles from the mouth of the River) not more than 15 miles from Cape Disappointment, though according to Gray's sketch it measures 36 miles. By his calculation its entrance lies in Lat. 46 degrees 10, Lon: 237 degrees 18 differing materially in these respects from our observations." From these extracts it will appear that Lieut. Meares of the R. N. was the first who discovered the entrance of the Columbia in July 1787 naming the head Land of the Northern entrance of the River Cape Disappointment which it still bears, and that Capt. Barclay of the Imperial Eagle had previously traded in the vicinity of the River and at about half a degree to the Northward lost a boat's crew in the year 1787.

Gray's Bay is situated on the North side of the Sound about half way between Cape Disappointment and the mouth of the River which he appears never to have entered as Vancouver's Voyages Vol 3 page 109 says "Previously to his departure however he formally took possession of the River and the Country in its vicinity in His Britannic Majesty's name having every reason to believe that the subjects of no other civilized Nation or State had ever entered this River before; in this opinion he was confirmed by Mr. Gray's sketch in which it does not appear that Mr. Gray either saw or was within five leagues of its entrance."<sup>6</sup>

These extracts and remarks will I trust satisfactory answer query 9.

Q. What comparison does Fraser's River bear in magnitude and capacity for the purposes of Trade with the Columbia? Is the Native population on its banks dense or not-well-disposed or not-warlike or pacific?

A. Fraser's River is not so large as the Columbia and not to be compared with it for the purposes of Trade, the depth of water found at its entrance was about 3 fathoms; and banks are generally high and steep, covered with Timber and such places as are sufficiently low and clear for the site of an establishment bear marks of having been over flown in the Seasons of high water.

About 70 miles from its entrance the navigation is interrupted by Rapids and Falls so as to render it nearly impossible, and according to the best information I have been able to collect, the

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<sup>6</sup> See Note 3 at page 28 of Vol. 20, *Or. Hist. Quar.*

banks of the river about 150 miles up form precipices where the towing line cannot be used, and the Current so impetuous at certain Seasons as to render it impossible to use either the setting Pole or Paddle, Canoes being the only craft that can attempt to stem the current at any Season.

The Natives treated our party<sup>7</sup> with civility and seemed anxious that we should settle among them. They assembled from the back Country to the banks of the River in great numbers during the fishing season (from April until October) when the population is very great, and at all Seasons the Country may be said to be densely peopled, and their character much the same as that of those inhabiting the banks of the Columbia. I should not however consider it safe to form an Establishment there, with a smaller force than 60 to 70 men and officers, until we are better acquainted with them.

Q. Could the Fur produce to the North of Fraser's River and West of the Rocky Mountains be conveniently transported by means of this river for shipment to other Countries?

A. From all the information I have been able to collect respecting Fraser's River, it is not my opinion that it affords a communication by which the interior Country can be supplied from the Coast or that it can be depended on as an outlet for the returns of the interior. I will further altho' unasked take the liberty of giving it as my opinion, that if the navigation of the Columbia is not free to the Hudson's Bay Company, and that the territory to the Northward is not secured to them, they must abandon and curtail their Trade in some parts and probably be constrained to relinquish it on the West side of the Rocky Mountains altogether.

(Signed) GEO. SIMPSON.

London, 31st December, 1825.

Journal 722, p. 3

Hudson's Bay House,  
London, 25th July, 1826.

To the Right Honourable, Wm. Huskisson.

Dear Sir: I have annexed to your queries such answers as the records to which I refer afford: I think that there is sufficient proof that the Traders of the N. W. Company had established Posts on the Columbia long before the establish-

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<sup>7</sup> See the *Wash. Historical Quarterly*, Vol. 3, page 198 et seq., for the journal of this expedition.

ment at Astoria in 1811. Harmon distinctly states that they were established in 1806, the American Fur Company was only formed in 1810 and were erecting their Fort in August 1811 when Thomson went there from one of the North-West Company's posts in the Interior.

Lewis and Clarke had been down the Columbia in 1805 and returned in 1806 the natives on their route had many European articles but McKenzie had crossed the mountains and proceeded to the sea in 1793 and Thompson further south in 1802 at which time he was I understand on one of the tributary streams of the Columbia. From Meares' Memorial it appears that certain merchants under the immediate protection of the East India Company fitted out ships in the year 1786, and and traded with the natives between the Lat. of 60 and 45.30. and obtained from the Chief of the District surrounding Port Cox and Port Effingham in Lat. 45 and 49, promise of free and exclusive trade with leave to build on the land, and purchased from another a tract of land.

I likewise inclose for your information copy of a statement relative to the Columbia River and Territories connected therewith drawn up in 1815 at the request of Sir Gordon Drummond. It was sent me in 1822 by Mr. Simon McGillivray; if there is any other information that you require I shall be happy to furnish it as far as I am able and shall feel obliged if you will allow me an audience any morning either this or the following week except Thursday.

I am, Dear Sir, Your faithful & obedt. servt.

(Signed) J. H. PELLY.

Q. State the date (the year if possible) when any party or individuals belonging to the Northern or Hudson's Bay Company first had a station in or near to the Columbia or to any of its Tributary Streams and the proof on which such statement rests:

A. The first year that any party belonging to the North-West Company had a station on or near to the Columbia was in 1806. Harmon, an American by birth who was a clerk in the North-West Company's service and afterwards a partner published a Journal of Voyages and travels commencing April 1800 and ending August 1819 says in page 282 "That the country West of the Rocky Mountains with which I am acquainted has ever since the North-west Company first made an Establishment there, which was in 1806 gone by the name of New Caledonia" and in page 220 he states "Monday April 6th.



Six Indians have arrived from Fraser's Lake who delivered to me a letter written by Mr. David Thompson which is dated August 28th 1811 at Yek-koy-ope Falls<sup>8</sup> on the Columbia River. It informs me that this Gentleman accompanied by seven Canadians descended the Columbia River to the place where it entered the Pacific Ocean where they arrived on the 16th day of July. There they found a number of people employed in building a Fort for a company of Americans who denominated themselves as the Pacific Fur Company; he also writes that Mr. Alexander McKay and others have proceed Northward in the vessel that brought them there on a coasting trade. Mr. Thompson after having remained seven days with the American people set out on his return to his establishments which are near the source of the Columbia River." From this it would appear that Mr. Thompson hearing at his Establishment higher up the Columbia of the unexpected arrival of the Americans at the mouth of the River went down to reconnoitre their proceedings, was with them when they were erecting their Fort and then returned to his own Posts which had been established after his first visit to the Country from the East of the Mountains in 1803, herewith is sent a copy of Harmon's work and in pages 194, 196, 218, 224, 228, 237, 239, 240, 242, 245, 246, will be found remarks relating to the establishments.<sup>9</sup>

Note: Mr. Alexander McKay has been in the service of the North-West Company for several years, was a British subject and was engaged by the Pacific Fur Company from the knowledge which he had acquired of the trade while in the service of the North-West Company. There were also Duncan McDougall, Donald McKenzie, David Stuart and several other British subjects who had all been previously in the service of the North-West Company attached to the crew and party sent out in the Tonquin and who built the American Fort on the South bank of the Columbia River.

Q. When was the Name of McGillivray given to the River now bearing that name? Was its course or any considerable part of it explored by any person of that name being a subject of His Majesty in the service of the Company and was there any settlement or station formed by him or others acting with him on that River and about what time?

A. In 1803 when Mr. Duncan McGillivray who died in 1807 set out on an Expedition with David Thompson from the North-

<sup>8</sup> Ilth-koy-ape, or Kettle Falls, in the State of Washington; see "David Thompson's Narrative" (Tyrrell) for verification of this.

<sup>9</sup> Daniel Harmon was located at Lake Stuart in British Columbia, many miles from the Columbia River.

West Co's post in Saskatchewan River to cross the Rocky Mountains to explore the country and with a view to establish Trading posts, Mr. McGillivray was taken ill and obliged to remain behind. Mr. Thompson proceeded with the Expedition crossed the upper part of the Columbia and called the first River he reached McGillivray the next after himself. McGillivray and Thompson were both partners in the North-West Company. They traded with the Natives but formed no Establishment at that time.<sup>10</sup>

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Q. Did McKenzie explore and what parts of the Columbia or its Tributary Branches: in what year and was he then in the service of the Company?

A. Sir Alexander McKenzie did not explore any part of the Columbia or its tributary branches he proceed from the Athapescow district by Peace river crossed the Mountains and travelled to the Pacific far to the Northward both of the Columbia and Thompson Rivers, this was in the year 1793 at which time he was a partner in the North-West Company.

Q. In what year was the first English ship sent to the Columbia for the purpose of collecting Furs and carrying supplies to the Company's Agent sand trading with the natives on the Columbia River? Has a ship been sent every year since the first?

A. The Isaac Todd which sailed from England in 1813 and arrived at the Columbia River in April 1814; was the first ship that took any Produce of the North-West Company's trade collected on the West side of the Rocky Mountains and carried it to China from whence she brought a cargo of tea to England for account of the East India Company; all that had been collected in former years having been sent by the Interior to Canada but as early as 1786 the East India Compy had vessels on the Coast and purchased Land of the Natives as related by Meares in his Memorial see States papers annual Register 1790 page 287. The Isaac Todd took at the same time all that had ever been collected by the American Fur Company at the Establishment of Astoria. The Americans arrived in the Columbia as before observed Summer 1811, the Furs that were collected the following Winter, they were not able to send away the ship that was to have conveyed them

<sup>10</sup> These statements as to the movements of David Thompson are incorrect. He was on the waters of Peace River nearly all that year. In the year 1800, in company with Duncan McGillivray, he made a trip from Rocky Mountain House on the Saskatchewan westward into the Rocky Mountains, but neither of them reached the summit, as their survey notes clearly show. See "David Thompson's Narrative" (Tyrrell), page 81.

having been destroyed by the Natives on the coast and the whole of the Crew massacred. No ship arrived in 1812 and in the fall of 1813 it was that the North-West Company purchased of the American Traders all they had collected the preceeding two years therefore no American ship ever took away, or have the Americans ever taken any produce of their Trade from the Country and when they established themselves in 1811 on the South side of the River, they had no establishment on the North side, and from the terms of the Treaty for the purchase it appears that they had one subsequently on Thompson River but abandoned it when they left the Country and they have never been there since.

In 1814 the schooner *Columbia* was sent out which arrived at Fort George in the spring of 1815 and having delivered her supplies proceeded with skins to Canton from whence she returned to the Sandwich Islands and to the Columbia River in order to carry the skins of the following season to Canton.

The supplies sent from England in 1815 and which reached Fort George in the Spring of 1816 were sent in the Brig *Colonel Allen* which vessel returned from the Columbia to England.

All these were British vessels belonging to and fitted out by the Agents of the North-West Company with supplies for their Traders at the Columbia River.

The outfits of these vessels having been found expensive and unproductive in consequence of the restriction of British subjects from trading in China except under License from the East India Company which Company refused to permit the Agents of the North-West Company to carry away tea in return for the skins sold by them at Canton whilst American ships and Traders not being under similar restrictions had the benefit of freight for the whole voyage to China and back. Under these circumstances in the year 1815 an arrangement was made with a house at Boston under which the supplies of British manufactures required for the establishments at the Columbia were sent from England to Boston from whence a ship was dispatched to convey them to the Columbia to take the skins from the Columbia to Canton and to carry the proceeds of their sale in Teas and other produce of China from Canton to Boston where the American house retained a certain proportion of the net proceeds as a compensation for the freight.

In this manner annual supplies were sent to the Columbia River in each year from 1816 to 1820 and in 1821 the Estab-

lishments were transferred to the Hudson's Bay Company since which time the proceeds have been brought by British ships to England.

Q. House many posts and settlements has the Company now on or near the Banks of the Columbia or its Tributary Branches; when as nearly as can be ascertained were they first formed and how many are North and how many are South of the Rivers or of its Branches?

A. The Company have now six settlements on the Columbia and its Tributary Branches exclusive of Fort George and thirteen settlements in the whole on the North side of the River in New Caledonia. The Company have none on the south side but parties have been fitted out from Fort George to hunt the Country on that side.

Q. When the Company was formed on which Mr. Astor was the head, of how many partners did it consist, how many of that Company were citizens of Great Britain and how many citizens of the United States?

A. Formed in 1810 after Lewis and Clarke's return, do not know their number but several of them were British subjects and had been in the service of the North-West Company.

Q. Had the Company any charter of incorporation or other instrument of special recognition from the State of New York or any other authority in the United States?

A. Cannot say if they had a charter of incorporation, but believe they were recognized by the State of New York.



## THE FEDERAL RELATIONS OF OREGON—VII

By LESTER BURRELL SHIPPEE, PH.D.

### CHAPTER XIII

#### THE TERRITORY OF OREGON

In Chapter IV there was noted the establishment of the Provisional Government in Oregon, with its dependence on voluntary contributions and its tripartite executive, a government over some six hundred souls of European descent who then found themselves within the limits of the territory. If the American contingent was doubled in 1842, 1843 brought nearly twice as many whites as Oregon had previously had, for the migration of that year numbered close to a thousand persons who came over the Oregon Trail with their wagons and herds, from Missouri and the surrounding States. At this point a word in relation to Dr. Marcus Whitman's relation to the migration of that year may not be out of place. While Whitman did go to Washington in the winter of 1842-3, and while he talked with President Tyler, Webster and others, there seems to be no warrant for the "Whitman Legend" which would have it that it was his work that saved Oregon for the United States.<sup>1</sup> Oregon was becoming well known, the more so because the Wilkes Expedition and the later exploring expedition led by Lieutenant Fremont had resulted in accounts which were spread abroad in pamphlets, books and in newspaper reprints.

In 1844 still greater numbers sought the Coast, most of the emigrants settling in the Willamette Valley, although the efforts of the Hudson's Bay Company, acting through the chief factor, Dr. McLoughlin, to prevent their entrance into

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<sup>1</sup> The investigations of Professor E. G. Bourne (see Legend of Marcus Whitman, *Am. Hist. Rev.*, VI, 276-300) and Principal William I. Marshall (his *Acquisition of Oregon*, 2 volumes, contains the bulk of his findings) have pretty thoroughly exploded the theory that Whitman's journey east in the winter of 1842-3 was due to the fear that the United States was going to abandon Oregon. In like manner these historians have demonstrated that the migrations of those years had nothing to do with the activities of Whitman, despite the assertions in such works as Barrows' *Oregon*. See also *Letters and Times of the Tylers*, II, 438.

the fertile regions north of the Columbia and about Puget Sound, served to goad a few families to find homes in that country. The stream of migration, started in 1842, continued unabated until the news of gold in California turned the greater flood in that direction in 1849 and the years following. Such was the volume of emigrants that in the debates in Congress as early as 1845-6 ten thousand was freely stated as a conservative figure for the population in Oregon. A memorial in 1848 said that there were 12,000 American citizens in the territory, and Governor Lane's census of 1849 showed a population of 8,785 Americans, and at that time the exodus to California had started. The first actual enumeration, in 1850, showed a total non-Indian population of 13,294, hence it is probable that the estimate of the Provisional Government in 1848 was not more than twenty per cent. above the actual figure.

The great increase in population obliged the people of Oregon to modify their organic laws. The utopian scheme of a government supported by voluntary contributions, however well it would have continued to operate with the original parties to the compact, proved inadequate as soon as the new comers, unfamiliar with the situation, were on the ground. In 1844 the Legislative Committee levied a tax of one-eighth of one per cent. on certain improvements and on some commodities; all who refused to pay were to have none of the benefit of the laws of Oregon and were not to vote.<sup>2</sup> In the revision of the organic laws in 1845 the legislative body was specifically given power to "pass laws for raising a revenue, either by the levying and collecting of taxes, or the imposing licenses on merchandise, ferries or other objects."

The revision of the organic law in 1845 also brought about a change which gave practically a constitution on the lines of the State constitutions of the time, including the customary bill of rights.<sup>3</sup> Instead of a Legislative Committee there was to be a House of Representatives composed of not less than

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<sup>2</sup> Act given in White's *Ten Years in Oregon*, 347-9.

<sup>3</sup> *Ibid.*, 358-67.

thirteen nor more than sixty-one members. The powers of this body were those "necessary for a legislature of a temporary government, not in contravention with the restrictions imposed in (the) organic law." Specifically power was given to impeach officials, constitute districts and apportion representatives, enact revenue laws, open roads and canals, regulate intercourse with the Indians,<sup>4</sup> establish a postal system, declare war and suppress insurrection, provide for a militia, regulate the importation, manufacture and sale of ardent spirits,<sup>5</sup> regulate the "currency and internal policy of the country," create inferior tribunals and offices, and "generally, to pass such laws to promote the general welfare of the people of Oregon, not contrary to the spirit of this instrument; and all powers not hereby expressly delegated to remain with the people." A judicious admixture of liberal and strict construction was thus placed in the fundamental law, presumably to meet the opposing political doctrines of those who came from different portions of the United States. For the peace of mind of the courts it was no doubt fortunate that the Territory of Oregon was erected by Congressional act before there came any perplexing problems over the interpretation of "all powers necessary for a legislature of a temporary government, not in contravention with the restrictions imposed in this organic law" and the "general welfare" clause, in the light of the restriction in "all powers not nearby expressly delegated to remain with the people."

The Executive Committee was thrown over and executive power was vested in "one person, elected by the qualified voters at the annual election." The judiciary was to be composed of a supreme court with one judge and inferior tribunals. That questions of constitutional import might be decided "the supreme court shall have power to decide upon and annul any laws contrary to the provisions of these articles of compact; and whenever called upon by the house of representatives, the

<sup>4</sup> In the bill it was stated that "the utmost good faith (should) always be observed towards the Indians," whose lands were not to be taken without their consent, or rights invaded "unless in just and lawful wars, authorized by the representatives of the people."

<sup>5</sup> In 1844 the Legis. Com. had prohibited sale and importation of spirits.

supreme judge shall give his opinion touching the validity of any pending measure." In the land law, which constituted one of the articles of the new compact, there was an important modification of the original act, for the proviso which allowed religious missions to pre-empt a square mile was omitted. As before, an individual might take 640 acres, although partnerships might take up tracts of 640 acres per member provided no member had a claim in his own name.

There was no thought that all these provisions would be other than temporary in nature; they were merely to fill in until the United States should have extended over the territory its protection and its laws. While there was some talk of an independent establishment, caused by the delay in settling the boundary and then by the failure of Congress to provide territorial government, few thought seriously of that possibility. The temporary nature of the organization had been referred to in the memorial which was presented to Congress in 1848,<sup>6</sup> as well as in the letter from Governor Abernethy which formed the basis of Thornton's memorial.

The advent, then, in Oregon of the newly appointed Federal officers was hailed with joy as well as relief in March, 1849. At the head of the list was General Joseph Lane, of Indiana, who had been appointed by Polk after the first choice, General James Shields of Illinois, had declined the nomination.<sup>7</sup> The other territorial officials were Knitzing Pritchett of Pennsylvania, secretary; William P. Bryant of Indiana, chief justice, and James Turney of Illinois and Peter H. Burnett of Oregon (one of the promoters of organization in 1843 and 1844), associate justices; Joseph L. Meek, who had brought the dispatches from the legislature, marshal; Isaac W. R. Bromley of New York, district attorney, and John Adair of Kentucky, collector of the port. Burnett and Bromley declined the positions offered them and these were filled by William Strong and Amory Holbrook, both of Ohio. It is to be noticed that the names of only two Oregonians appear in this list and that

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<sup>6</sup> See Chapter XII.

<sup>7</sup> Polk, *Diary*, IV, 91-2.



neither of these is that of J. Quinn Thornton, who brought Governor Abernethy's letter.<sup>8</sup> The memorial from the Legislature, the majority of which represented one Oregonian clique, had practically requested the President to give the more important positions to persons who were not residents of the territory in order to prevent the appointment of Abernethy, who headed another faction, as governor.

While the new officers were on their way to Oregon the President received another appeal from Governor Abernethy for aid against the Indians.<sup>9</sup> The conflict which had broken out, known as the Cayuse War, was the immediate result of the Whitman massacre which occurred in the fall of 1847. Up to this outbreak there had been comparatively little serious trouble with the Indians in the Oregon Territory; the Hudson's Bay Company's influence over the native tribes had long contributed to prevent hostilities and some little good seems to have been accomplished by Elijah White, the sub-Indian agent appointed by President Tyler, although he had been inclined to make promises which he neither was able nor attempted to fulfil. White had resigned his position in 1846, when Congress refused his petition for the extra salary which he considered due him,<sup>10</sup> and Charles E. Pickett had been appointed in his place. After White left Oregon, however, the relations between the settlers and the Indians had been taken over by the Provisional Government acting through the Governor.

When the warlike activities of the Indians were reported to Pickett, then in California, he had applied to Governor Mason for forces with which to go to the assistance of the Oregonians. The Governor refused his request and Pickett remained in California believing that his mere presence would count for little. No assistance was received from Washington either, for Congress had not acted on the measures reported in both

<sup>8</sup> This factional situation is hinted at in Polk, *Diary*, IV, 81-3, in the account of Thornton's attempt, finally successful, to secure payment of his expenses in going to Washington. The inner features of the episode are not indicated by Thornton, *History of Oregon and California*, II, 249-50. For the whole affair see Bancroft, *History of Oregon*, I, 773, note, where the account is based on MSS. in the Bancroft collection.

<sup>9</sup> Polk, *Diary*, IV, 144, 10 Oct., 1848.

<sup>10</sup> White had gone to Washington with the 1845 memorial and did not return to Oregon until 1850.

houses for the defense of the whites and the regiment of riflemen, released from service in the Mexican War, had to be recruited to full strength before it could be sent to Oregon. The situation, however, had been on the President's mind, for just before receiving the second communication from Abernethy he had, after consultation with his Cabinet, decided to unite the military districts of Oregon and California and put them under the command of General Persifer F. Smith. General Smith, who was then in Washington (October) had already been ordered to Oregon with the mounted riflemen as soon as they should be ready to leave.<sup>11</sup> Abernethy's plea, then, could receive no other direct response, although the Secretary of the Navy was directed to order the commander of the Pacific squadron to proceed at once with a part of his force to Oregon and to furnish the inhabitants with arms and ammunition and such of his men as he could spare.<sup>12</sup> Polk once more took occasion to confide to his diary what he believed to be the cause of the misery of the Oregonians; "the neglect and inattention of Congress" which had failed to act in accord with his recommendations, because it had been "more occupied at the last session in President-making than in attending to public business."

Oregon, therefore, was forced to defend herself. A volunteer force was raised and this, together with the efforts of the Hudson's Bay Company and of the Catholic priests from the missions, succeeded in making the allied tribes seek peace. Incidentally the massacre which had opened the strife was made the excuse of declaring forfeit the lands of the Cayuses about Walla Walla, thus throwing them open to settlement. The expenses incurred by the Provisional Government in the war became the cause of a long-standing claim against the Federal Government.

In his last Annual Message<sup>13</sup> Polk did not hesitate to speak plainly on the Oregon situation and emphasized his remarks by sending to Congress the latest letter he had received from

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<sup>11</sup> Polk, *Diary*, IV, 149.

<sup>12</sup> *Ibid.*, 155-6.

<sup>13</sup> *Globe*, XIX, 7.

Governor Abernethy. It had always been the policy of the United States to cultivate the good will of the aborigines, and "that this could have been done with the tribes in Oregon, had that Territory been brought under the government of our laws at an earlier period, and had suitable measures been adopted by Congress . . . cannot be doubted. Indeed, the immediate and only cause for the existing hostility of the Indians of Oregon is represented to have been the long delay of the United States in making them some trifling compensation, in such articles as they wanted, for the country now occupied by our immigrants."

This compensation had been promised by the Provisional Government but the fulfilment had been postponed for two years while awaiting Congressional action. Accordingly Polk repeated his recommendation for laws to regulate intercourse with the Indians. No further recommendations did he make with regard to Oregon, although he reiterated his reasons, given in the message accompanying the signed territorial bill, for approving the act. He announced that steps had been taken to carry into effect the act for mail service between Panama and Oregon, and in this connection mentioned a proposal for establishing a line of steamships to New Orleans and Vera Cruz as potentially beneficial to the commerce of both Oregon and California.

But the Thirtieth Congress had spent enough time on Oregon affairs. The whole question of California and New Mexico, with relation to slavery extension, had been left over from the first session, and, as this was the short session, there was little time to attend to other than the most pressing and routine business. Consequently all the action taken to deal with Oregon was the passage of a resolution allowing the Secretary of War to furnish emigrants to Oregon, California and New Mexico with arms and ammunition.<sup>14</sup> The greater question of removing the most important source of trouble between the settlers and the natives, that of land titles, was not touched, neither did Congress take any steps to remove certain diffi-

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<sup>14</sup> *Globe*, XIX, 535, 560, 616.

culties in the land situation which had arisen from the Territorial Act.

The first section of the organic act of 1848 had confirmed the title of lands occupied as missionary stations to an amount not exceeding 640 acres each, and the fourteenth section had declared null and void the laws of the Provisional Government making grants to settlers. The result was that of all the people living in Oregon only the missionaries, and they only for their religious organizations, and persons whose "possessory rights" had been guaranteed under the Treaty of 1846, had any valid claims under the law.<sup>15</sup> The title to all land, no matter what improvements might have been made or how long it had been occupied, was in the United States there to remain until Congress saw fit to pass an act relieving the situation. Those already in Oregon and those about to emigrate thither petitioned Congress to act; but though several bills were introduced nothing was done and it was left to the Thirty-first Congress, under a new Administration to deal with the remaining problems which Oregon presented to the attention of the Federal Government.

This new administration appeared to Polk to have at its head a man with the most astounding ideas. When President Taylor and ex-President Polk were riding back from the inaugural exercises the former said, in reference to a chance remark, that in his opinion both Oregon and California were too far distant to become members of the Union and it would be better for them to set up independent establishments. Well might the man who had made the acquisition of California the paramount purpose of his Administration note that these were alarming sentiments to be heard spoken by a President of the United States.<sup>16</sup>

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<sup>15</sup> See letter of the Secretary of the Treasury transmitting the annual report of the Commissioner of the Land Office, *Ex. Doc.* (House) No. 12, pp. 14-15, 30th Cong., 2d Ses.

<sup>16</sup> *Diary*, IV, 375-6. He had discussed this possibility with his cabinet in the previous December and had stated that he thought the leading Whigs would be glad to give up California in order to get rid of the Wilmot Proviso; consequently Taylor's remark must have seemed significant. If California went, thought Polk, Oregon would join her.



"I have entertained serious apprehensions and have expressed them in this diary, that if no Gov(ern)ment was provided for California at the late session of Congress there was danger that that fine territory would be lost to the Union by the establishment of an Independent Government, Gen'l Taylor's opinions as expressed, I hope, have not been well considered. Gen'l Taylor is, I have no doubt, a well meaning old man. He is, however, uneducated, exceedingly ignorant of public affairs, and, I should judge of very ordinary capacity. He will be in the hands of others, and must rely wholly upon his cabinet to administer his Government."

Circumstances changed, however, and even if President Taylor did seriously entertain the opinion he expressed to Polk, by the end of 1849 he would have found few in the United States to agree with him; the gold fields, if nothing else, prevented giving up California, slavery agitation or no slavery agitation. Nothing in the Annual Message which Taylor sent to Congress in December, 1849, indicated that he retained his pessimistic views on the desirability of keeping the Coast territories.<sup>17</sup> Railroads and canals across the Isthmus, and railroads across the continent, came in for considerable attention; for, read the Message, the mineral wealth of both California and Oregon made it certain that a large population in both of those regions would demand speedier means of transportation than those actually existing. For Oregon specifically he called attention to the land title situation.

Congress took up and disposed of most of the issues connected with the land question, although minor questions continued to arise for many years. The Indian title was extinguished and provision was made for surveys and for disposing of the public domain, and questions of special grants as well as the status of the holdings of the Hudson's Bay Company were brought up. Samuel R. Thurston, the Delegate from Oregon, was sufficiently active in keeping the needs of his constituents before the House. He it was who took the first steps with most of the measures dealing with Oregon. His resolution for looking into the matter of extinguishing the

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<sup>17</sup> *Globe*, XXII, Pt. 1, 70-1.

Indian title to the land west of the Cascades was referred to the Committee on Indian Affairs, although a bill of the customary type for this purpose was introduced in the Senate, passed by that body and adopted by the House.

Disposing of the public domain, however, gave rise to great interest. After the introduction of a resolution requiring the Committee on Public Lands to look into the expediency of creating a land office and providing for the survey of lands in Oregon, Thurston, in February, moved a set of eight resolutions. The Committee on Territories was to be directed to inquire as to the relative numbers of Americans and foreigners in Oregon, and what proportion of the latter had declared an intention to become citizens of the United States; the expense and time it took to reach Oregon; how long the people there had managed for themselves without assistance from the Federal Government.<sup>18</sup> The purpose of the resolutions was, of course, to point out the duty of Congress to provide liberally for those who had undertaken the sacrifice necessary to go to Oregon. In April a bill was introduced in each house, and in May the House of Representatives took up the one on its calendar. Two questions arose. As reported the bill would make grants of land to settlers, but Bowlin wished to amend the provisions by inserting the word "white" thus provoking a little anti-slavery skirmish led by Giddings, who always took every opportunity to deliver a blow at anything connected with slavery. The obnoxious word remained in the bill as passed by the House, for Thurston told the Congressmen that the people of Oregon were so in dread of the introduction of free negroes that they had passed a law prohibiting their coming to the territory. The second question was on the new policy of giving away the public lands, which some opposed.

A long delay ensued and Thurston began to get uneasy; he feared that the session would end before his land bill became law and so, at the end of July, he tried to introduce a resolu-

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<sup>18</sup> *Globe*, XXII, 413.

tion in which he showed the flourishing condition of Oregon under the Provisional Government and the chaos which had resulted from the territorial organization which had nullified all land titles. While there was objection to the reception of this resolution, it had been read and its work accomplished, for a few days later the land bill was brought up, and after a few minor changes passed. In the Senate some little question was raised as to whether a clause should be inserted so that lands designated by the President for public purposes should be excepted from the provisions of the bill. Douglas said that such a provision might result in taking arbitrarily the improved land of settlers, that he learned from the Delegate from Oregon that exactly that had happened at Astoria. Jefferson Davis, who had moved the amendment, looked up the point and found that no injury had been done; he insisted upon his amendment, therefore, and the Senate adopted it. In this way was defeated a rather shrewd attempt to make the government of the United States pay for many of the sites which might be desired for military posts and the like.

The law as it was passed at the very end of the session allowed every white man or Indian half-breed, citizen of the United States or having declared his intention to become such, to take a half-section of land; married men might double this quantity.<sup>19</sup> This very liberal gift was made only to those who were in Oregon and should take advantage of it before the first of December, 1851. Those who came after this date and until the first of December, 1853, could receive a donation half as large. No one could claim under the act and the treaty. Special provisions granted two townships for the endowment of a university and the so-called Oregon City claim, at the falls of the Willamette, was given the territory to be disposed of by the Legislature also for the benefit of the university. In this gift two exceptions were made; the island in the river was confirmed to the Willamette Milling and Trading Company, and the title to all city lots sold by Dr.

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<sup>19</sup> *Globe*, XII, 1846, 1953. *St. at L.*, IX, 496-500.

McLoughlin before the fourth of March, 1849, was confirmed to the purchaser.

Not only was there a departure from precedent in the disposal of lands by donation rather than by sale but no provision whatever for sale of parts of the public lands was made. The British claimants under the treaty presented problems for the Land Office to solve, but local officials were instructed<sup>20</sup> to avoid sectional or other minute subdivisional lines in confirming the claims presented. In 1853 Congress amended the land act by extending the donation privileges two years, and by allowing the settler, after an occupation of two years, to commute the remainder of the residence requirement by a payment of \$1.25 per acre. Joseph Lane, then Delegate to Congress, attempted to have included in the amendment a provision whereby bounty lands (which were allowed to those who had participated in Indian wars anywhere since 1790) might be located in unsurveyed as well as in surveyed regions. This was opposed as a possible opening for speculation in lands. Said one objector, Oregon had already been treated with more than ordinary liberality, what with land donations, bounty lands, \$100,000 for the Cayuse War, university lands and double school lands, and there was no reason for allowing great tracts to come under the control of small groups of persons. The House was inclined to this view and Lane could not secure his amendment. He did, however, have added to the general appropriation bill a sum of money for extinguishing the Indian title north of the Columbia where emigrants were going in constantly increasing numbers.<sup>21</sup>

The year following these changes Lane came back to Congress with further requests. Especially did he desire the law amended so that a sale might be made of a part of a claim; many persons, he said, had taken claims for one to three years before the original law had been enacted so that while the law had been complied with no sale could take place because,

<sup>20</sup> Report of Commissioner of Land Office, 26 Nov., 1851; *Sen. Ex. Doc.* No. 1, 32d Cong., 1st Ses.

<sup>21</sup> *Globe*, XXV, Pt. 1, 627, 1445; 890, 1852.



in many instances, the survey had not been made and no patent could be issued. A 640 acre claim, with no privilege of sale, made population sparse and schooling dear; many young men had gone to Oregon and they should be allowed to sell a portion of their land in order to be able to return to the States for wives. Although the restriction was removed there was some opposition; Letcher (Virginia) saw in it another evidence of the intention of the North to force population into the northern territories thus further destroying the balance which had been disturbed by letting California in on the principle of squatter sovereignty. He urged men of the South to oppose all these attempts to propagate northern sentiment and to multiply northern representatives in both house of Congress.<sup>22</sup>

Lancaster, the Delegate from the newly-created territory of Washington, who was in favor of Lane's amendment as a benefit to his own constituents, threw into the discussion a reference to one factor which had proved troublesome in the territory ever since 1845 and which had persisted in coming up in Congress whenever the land question was mooted. He charged Thurston with having secured the original restriction on account of fear that the Hudson's Bay Company and the Puget's Sound Agricultural Company would get control of large tracts, and that Dr. McLoughlin would "reap some benefits from the labor and money he bestowed in promoting the interests of American citizens."

The relation of McLoughlin to the land question brings up one of the least pleasant incidents of early Oregon history. While it was the almost universal testimony that the venerable chief factor had treated with the utmost consideration and liberality the early settlers in Oregon, and had united with them in all proper activities for promoting mutual interests, he had incurred the enmity of some persons, notably of those with whom he came in contact on account of the claims at

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<sup>22</sup> *Globe*, XXIX, Pt. 2, 1075 seq. A provision prohibiting the establishment of donation claims on townsites and places selected for the purposes of business and not of agriculture was adopted without opposition. The law also extended to Oregon and Washington the provisions of the Preemption Act of 1841.

Oregon City, a site valuable for manufacturing and commerce. The place was, according to McLoughlin's idea, "destined by nature to be the most important place in the country," hence he had, in 1829, taken a claim there in the name of the Company, thinking to use a part of it for himself when he should have retired from active service. He knew that it would be on American soil, but he intended to become an American citizen when he no longer was employed by the Hudson's Bay Company. Furthermore he considered it a good business venture for the Company to have a station at the Falls. . . . People connected with the Methodist mission, also, saw the value of this site; as McLoughlin at a later date said:<sup>23</sup>

. . . . "The Methodist Mission wanted to possess themselves of the place, of which I was informed in 1840. But I could not believe that persons calling themselves Ministers of the Gospel would do what their countrymen in the most humble station in life having the least regard for right, would condemn."

In view of the animosity toward the Hudson's Bay Company, fostered in some degree by the Mission, he had made improvements at the Falls in his own name. Sir George Simpson, however, was not in favor of this project, since it would eventually be located upon territory of the United States, consequently McLoughlin could get no authorization from the Company to act either for himself or for it. When, thereafter, attempts were made to encroach upon his claim he could but protest and point to the fact that he had established his claim many years before. A rival mill was built on the island and, as the emigrants of 1842 began to arrive, many people sought lots at this desirable location.

" . . . . I went so far in my zeal as to risk my private means to carry on the works at Wallamette Falls so as to secure it from persons who wanted to get it in order to use

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<sup>23</sup> See letter from McLoughlin to Governor, etc., of the Hudson's Bay Company, 20 Nov., 1845, his last official communication and the one in which he announced his resignation. In *Am. Hist. Review*, XXI, 110-34. Incidentally this letter disposes of the oft repeated charge that it was the purpose of the Company to drive Americans out of Oregon.

the influence that place would give to the prejudice of the Hudson's Bay Company, to which I was also induced on account of the hostile feeling the immigrants had to the Company, as I was afraid if I did (not) give them employment, that animated with this feeling and urged by their wants, they might make an attack on the property at this place which might be destroyed, and for which the Hudson's Bay Company would never get any indemnification, and the Company's business in this department would be ruined. In doing which, by Sir George Simpson's not writing me in 1843, to take the place in my own name, I had to give five acres of the best ground for building lots, and five hundred dollars to Rev. Mr. Waller, and by the Hudson's Bay Company not giving me sanction to take it in my own name in time (which they could readily have done) I had to pay three thousand four hundred and twenty dollars for improvements not worth one half the money and one thousand nine hundred and eighty dollars for lots to which they had no claim."<sup>24</sup>

Dr. McLoughlin resigned his position as chief factor in 1845 owing to disagreement with Sir George Simpson on the general policy of the Company in the Columbia district. He took up his residence at Oregon City where he spent the remainder of his days, expecting when the boundary question was settled that there would be little difficulty in straightening the tangle over the title, for the Provisional Government had made no effort to adjudicate between him and his rivals, chief among whom was Alvan F. Waller, one of the Methodist missionaries. When the treaty was concluded the inhabitants of Oregon found that it contained a clause which stated that "the possessory rights of the Hudson's Bay Company and of all British subjects who may be already in the occupation of land or other property lawfully acquired within said territory, shall be respected." This apparently gave to Dr. McLoughlin a specific basis for his claim for, in the absence of laws recognized by the respective countries, priority of claim would give title, especially since the convention of 1818 and 1827 placed American citizens and British subjects in exactly the same

<sup>24</sup> *Ibid.*, p. 133. For a discussion of the McLoughlin affairs, see Holman, *Dr. John McLoughlin*; also Bancroft, *History of Oregon*, I, 203 seq.; II, 113 seq.

footing in Oregon. Nevertheless there were many who had hoped that the treaty would not only place the boundary at 54° 40' but also oust both British companies as well; these were much disappointed that they could not immediately possess themselves of the improved lands held by those organizations. Some of the disaffected took revenge by squatting upon portions of McLoughlin's Oregon City, whereupon he brought suit for trespass in the court of Clakamas county. Claim-jumping, however, did not meet with widespread approval for once it received sanction there would be no security for any claim in the territory.

Two years passed by and then the territorial act produced even greater dissatisfaction for it annulled the land laws of the Provisional Government and put none in their place. The only persons who enjoyed legal title to their land claims were the missions, in the name of the religious bodies controlling them, and those who held under the treaty. One of the most important things, then, for a territorial Delegate to secure from Congress was a land law, and Samuel Thurston took advantage of the hostility to the British Company and everybody connected with them to win popularity and an election. He began his campaign in the House of Representatives on February sixth, 1850, by introducing a series of resolutions.<sup>25</sup> In the form of an inquiry addressed to the Committee on Judiciary the resolutions raised the question of the meaning of "possessory rights"; could the United States, by making payment, dispose of the lands occupied by the British Companies and British subjects; had any British subject "lawfully acquired" land at the time the treaty was made; how much land could be claimed by the Puget's Sound Agricultural Company; and could the Hudson's Bay Company import goods free of duty through the port of Astoria?<sup>26</sup>

While on the surface Thurston did not appear to be taking an

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<sup>25</sup> *Globe*, XXII, 295. This was his second attempt to bring them before the House.

<sup>26</sup> The Company's right to navigate the Columbia was under the same restrictions applying to American citizens, hence duty would have to be paid on imported goods, a fact which had been overlooked by the British when the treaty was made.



active part in framing the details and pushing the land bill, except to urge its consideration, he had placed in it certain apparently innocuous clauses which would practically have prevented every British subject in Oregon from obtaining a donation grant as well as have deprived Dr. McLoughlin of his claim. To accomplish the first purpose the bill contained the words "all white American citizens" to designate those eligible to secure land; the Committee on Public Lands had considered this a little too strong and had changed it to "all male citizens of the United States, or persons emigrating from the United States, and who shall have made a declaration of intention to become citizens." This amendment the House adopted, but it meant that every British subject in Oregon, including those who had long since established their homesteads along the Willamette, would have to go into some one of the United States and "emigrate" from there in order to qualify for a donation claim. The Senate struck this out, leaving it necessary only that aliens should make a declaration of intention. Aliens still would have to wait until the process of naturalization should have been completed before a patent for their lands would be issued.

Dr. McLoughlin, however, was dealt with in a section by itself. This was the more easily done since Thurston had played upon the ignorance of the members of Congress; he had described McLoughlin as the enemy of Americans in Oregon and as a menace to American interests still. The Oregon City claim, except for the lots sold or given away by the Doctor before the fourth of March, 1849, was to become the property of the territory. Abernethy's Island in the Willamette, on which the mills had been erected, was granted to the Willamette Milling and Trading Company which had bought up the claims of the Methodists. No provision was made to reserve to McLoughlin any of his original claim, and, as he had declared formally his intention to become a citizen of the United States, he had lost his standing under the treaty.

When the text of the proposed act was received in Oregon

there was much dissatisfaction; some felt that McLoughlin had been treated unfairly; others to whom he had sold lots after the fourth of March were angry because they had not been protected, and many of them demanded back their purchase money. The latter class was later appeased by an act of the territorial Legislature which confirmed their titles, although certain members protested that there was no power given to rob the university in this way. Before Thurston returned to Oregon some of the dissatisfied persons met and drew up a memorial to Congress. They protested against any discrimination among purchasers of the Oregon City lots and prayed Congress not to pass the bill in the proposed form since it would work a hardship upon them as well as do an injustice to the county to which Dr. McLoughlin had recently donated some two hundred lots for educational, religious and charitable purposes. At the following session of Congress this memorial raised a storm for Thurston had represented that his bill would meet the approval of most of the people, and all the Americans, in Oregon. Thurston defended his course in a violent speech against McLoughlin whom he charged with having made advances to him, Thurston, for his influence respecting the claim.<sup>27</sup>

The land law was made the main issue in the campaign to elect a successor to Thurston, and it is significant that the sitting Delegate was supported for re-election, although his death in April, 1851, put an end to his career. The Legislature did not act immediately to accept the gift for the university although eventually it did so, (1856-57).<sup>28</sup> In 1862, five years after the death of McLoughlin, the Legislature allowed his heirs to purchase Abernethy Island for the nominal sum of one thousand dollars.<sup>29</sup>

<sup>27</sup> *Globe*, XXIII, 120. In a similar manner Thurston has attacked McLoughlin when his bill had been up in the previous session; he had asserted that McLoughlin would not become an American citizen, and that he had always worked against American interests. Most of his statements were unfounded, but a letter from Judge Bryant, one of the assignees of the Willamette Milling and Trading Company, affirmed their truth. *Globe*, XXII, 1079.

<sup>28</sup> In Feb., 1856, the Oregon Legislature memorialized Congress to release the claim to McLoughlin, except the island, and grant two townships instead. Nothing was done. *H. Misc. Doc.* No. 97, 34th Cong., 1st Ses.

<sup>29</sup> See document, found among McLoughlin's papers, expressing the deep disappointment of his old age. In *Ore. Pioneer Ass'n Transactions*, 1880; also in Marshall, *Acquisition of Oregon*, I, 430-40.

Although Thurston had been successful in ousting Dr. McLoughlin from his claim, the attempts against the Hudson's Bay Company and the Puget Sound Agricultural Company were less successful. According to the terms of the treaty the United States might purchase from the latter company its property if "the situation of these farms and lands should be considered by the United States to be of public and political importance." It was the expectation both of the settlers and the Hudson's Bay Company officials that steps would be taken immediately to act in accordance with this permission, and the Company was the more willing to sell because of the indefinite character of its rights as reserved under the treaty. Its desire to sell was further increased after the passage of the donation land act and the discovery of gold in California had made it increasingly difficult to retain its servants on the old terms.

In July, 1848, the first offer of sale was made through George N. Sanders, who proposed that the United States pay a million dollars for all the property and rights of both companies, everything, in fact, claimed south of 49°. <sup>30</sup> The President refused the offer immediately on the ground that the United States would be purchasing something the value of which it did not know; furthermore he suspected that Sanders, whom he had characterized as unscrupulous and unprincipled, was acting for speculators. <sup>31</sup> When Congress convened Sanders again made his appearance and secured the interest of some Senators, Hannegan and Breese in the number. They asked Polk if he would enter into negotiations for the purchase of the possessory rights of the Hudson's Bay Company and the privilege of navigating the Columbia if the Senate, in Executive Session, should pass a resolution requesting him to do so. The President replied that he was opposed to buying anything or entering into negotiations for the purpose until more specific information had been received.

<sup>30</sup> The correspondence covering the period down to Oct., 1850, is in *Sen. Ex. Doc.*, No. 20, 31st Cong., 2d Ses. Polk had submitted to the Senate, replying to a resolution, the first offer of the Company; Richardson, *Messages*, IV, 603.

<sup>31</sup> Polk, *Diary*, IV, 301-2.

The unsatisfactory situation of the Hudson's Bay Company was emphasized when in 1850 a vessel, the *Albion*, was seized and condemned by the revenue officers of the United States on the charge of violating the revenue laws. Although the Federal Government restored the seized property such a thing was likely to happen at any time, as Sir John Pelly pointed out to Secretary of State Webster, when he called attention to an offer the Company had made the year before.<sup>32</sup> At that time Sir John had offered to sell all the rights of the Hudson's Bay Company for \$700,000 and all the farms and property for \$150,000 more. The Company had been more impressed with the lessened value of its rights since free navigation of the Columbia was accompanied by the necessity of paying duty upon all goods brought in for trading purposes; this added cost cut further into the profits which had already begun to decrease by the time of the treaty.

Nevertheless Congress was unwilling to take the matter seriously, although the lands claimed by the British Companies were constantly being "squatted" upon by Americans who refused to recognize any prior rights. In December, 1855, President Pierce called attention to the situation and recommended a "cession of the rights of both companies" as the "readiest means of terminating all questions," a cession which he believed could be obtained upon reasonable terms.<sup>33</sup> It was not, however, until 1863 that a treaty<sup>34</sup> was concluded by which a commission with an umpire was to investigate all claims and fix the purchase price. In 1869 the commissioners awarded to the Hudson's Bay Company \$450,000 and to the Puget's Sound Agricultural Company, \$200,000, and thus ended the long controversy.

If securing large appropriations from the Federal treasury forms the basis of a successful career as a representative of a State or territory, then the first Delegate from Oregon deserves to be ranked high in the regard of that State. Not

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<sup>32</sup> See Note 30 above.

<sup>33</sup> Richardson, *Messages*, V, 333. The same recommendation was made the following year.

<sup>34</sup> *Treaties and Conventions*, 1871, 402-4.



only did he secure the donation land act, the essential idea of which had been in Dr. Linn's bill many years before, and a bounty land law, but appropriations for paying the expenses of the Cayuse War, for extra customs houses, for government buildings and a penitentiary (most of which was wasted so that later \$67,000 more was appropriated), for light houses, for surveying, and for the expenses of an extra session of the Legislature. Well might he move that a bill for building roads and bridges at an expense of \$100,000 be laid aside because he did not wish to draw too heavily upon the treasury or upon the good nature of Congress "who have treated me with such magnanimity."

Thurston's acquisitive example was followed by the second Delegate, Joseph Lane, who had lost his position of territorial governor when the Whig administration came in.<sup>35</sup> Lane succeeded in obtaining additional money to settle the expenses of the Cayuse War and also an act to pay the expense incurred in the Rogue River War, in which he had taken an active part when governor. Military roads added \$40,000 to be expended in the territory, although some question was raised as to whether such an appropriation could constitutionally be made.

Military roads, however, were felt to be a necessity in dealing with the Indian outbreaks which took place with especial ferocity in the summer of 1855 and had not wholly ended until 1857. The most serious of the Indian wars in Oregon started in the Rogue River country in Southern Oregon and involved most of the tribes of that region. Its story forms a part of the local history of Oregon but it had a side which particularly brought in the United States.<sup>36</sup> Like most of the Indian wars it represented on one side the Indian's determination to keep the white man from overrunning his hunting grounds; on the other was the white man's desire to clear

<sup>35</sup> *Globe*, XXIII, 67; Lane was called by Ewing of Ohio (Whig) one of the electioneering office holders who had so abused Taylor in the presidential campaign, when the question of his removal from office had been brought up in the House.

<sup>36</sup> See Bancroft, *History of Oregon*, II, chapters 12, 15, 16. *Sen. Ex. Doc.* No. 66, 34th Cong., 1st Ses.

the land of Indians. It did not take long for the struggle to become one of extermination on both sides. The Federal officials, in attempting to protect the innocent Indians, aroused the ire of some of the settlers, and further animosity was produced by the lack of harmony between the United States officer in command of the Federal troops, General John E. Wool, and the territorial officials of Oregon and Washington. The territorial governments raised volunteer forces to fight the Indians and issued script to pay them.

The whole affair came before Congress in the form of requests for appropriations to cover these expenses. The discussion brought out the lack of cooperation between the local and Federal authorities, and Congress was inclined to allow some weight to the statements of General Wool that the whole thing was nothing less than a crusade on the part of the whites to rid the country of the Indians: "Oregonians," he wrote, in one dispatch, "say that war is a God-send to the country."<sup>37</sup> Congress did, however, pass a measure authorizing a commission to investigate the whole affair. At the next session (1856-7) the Committee on Military Affairs of the House asked to be discharged from further consideration of the bill which was framed to pay the award of the commission. In spite of the efforts of Lane the sum recommended by the commission was cut down materially. Two years later, after the report of a special commissioner who had been sent to Oregon, the claim was allowed, and Oregon claimants received \$424,000 while those in Washington got \$229,000.<sup>38</sup> This amount was not considered by Oregonians as sufficient and the desire to secure an additional appropriation was one of the factors which made them work for statehood.

The great distance between the Mississippi valley and the Pacific Coast and the dangers attending the journey to Oregon continued to come up in Congress in one form or another. The regiment of mounted riflemen, which had been authorized

<sup>37</sup> *Globe*, XXXIII, 1135.

<sup>38</sup> *H. Ex. Doc.* No. 37, 34th Cong., 3d Ses. Part of the troubles had been due to a failure of the Senate to ratify the treaties negotiated by the Indian Superintendent. See Fillmore's message, 6 Dec., 1852, Richardson, *Messages*, V, 178.

and then diverted to service in the Mexican War, was one tangible evidence that Congress recognized some of the dangers. The regiment, however, had been of little service to Oregon. In 1852 Lane brought in a resolution calling upon the President to inform the House what steps had been taken for the protection of emigrants, and in case nothing had been done to request him to order the regiment placed on duty within the Territory of Oregon. The resolution, as was intended, did nothing more than call attention to the fact that the regiment had been withdrawn from Oregon, much depleted, in 1851.

At the same session (July, 1852,) the Senate had before it a definite and elaborate measure for the protection of emigrants. Douglas had brought in a bill which would provide three ten-company regiments, with one hundred men to the company, to guard and protect emigrants on their way to Oregon and California. The bill also proposed to allow H. O'Reilly the privilege of erecting at his own expense a telegraph line along each of the routes, to be protected, of course, by the troopers.<sup>39</sup> In spite of the numerous petitions and memorials which were coming to Congress the bill found support only from one Senator besides Douglas; opponents like Senator Butler looked upon it as little more than a bounty of \$4,000,000 per year granted to emigrants who were lured away by the promise of free lands on the Pacific Coast. Others opposed it on the ground of excessive cost, and still more because such a measure would tend to defeat any provision for a railroad.

The project of a railroad to the Pacific had long been in the air. It had come up in connection with the bills introduced by Dr. Linn. At the time of the territorial bill agitation there were numerous petitions for rail communication.<sup>40</sup> The scheme most favorably mentioned in such appeals was that which Eli Whitney had long had before Congress. Whitney

<sup>39</sup> *Globe*, XXV, 1683-6; 1758-60. As early as 1848 Douglas had presented O'Reilly's petition for telegraphic communication between the Mississippi Valley and the Pacific Coast.

<sup>40</sup> There were memorials and petitions from the legislatures of Rhode Island, New York, Connecticut and Pennsylvania.

had succeeded in arousing interest in his plan both in and out of Congress, to such an extent that even in the crowded session when the Territorial Act was passed there was found time to give it brief consideration. Senator Benton had been skeptical and was astonished that any Senator would take the time of the Senate to suggest its consideration; he had studied the history of Oregon and California before Niles (who had moved to take up the bill) had ever thought of it; he would never vote a million acres to any man. It would not be surprising, thought Benton, if Whitney brought in a bill of damages to reimburse him for going to the legislatures of all the States in the Union for recommendations. Nevertheless the notion that there was something in the scheme was gaining ground, for twenty-one out of the forty-eight Senators would have been willing to consider the bill.

At the next session not only did Whitney's bill reappear, but there were requests from Timothy Carver and his associates for a grant to construct a railroad over the same route, and one requesting government aid in building a railroad across the Isthmus of Panama. The last request was from W. H. Aspinwall and others who had secured a long-term contract to carry the mails for New Granada. Benton favored this idea and brought in a bill to assist the project but the Senate was not interested. Another plan which Benton brought up at this session, and again in the next, was for a National Central Highway; he opposed the grants of land to railroads, but he would set apart a strip of territory a mile wide from the Missouri frontier to San Francisco, with a 1000-foot branch to the Columbia, whereon all kinds of roads might be constructed:—railroads, plank roads, macadamized roads, and even one with "magnetic power, according to the idea started by Professor Henry," when that should have ripened into practicability. Here everyone might travel without payment in the way he preferred.<sup>41</sup>

By 1850 the railroad notion had progressed to the point where the House Committee on Roads and Canals brought in

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<sup>41</sup> *Globe*, XIX, 470-4.



a report on the Whitney project and a bill in furtherance of it. The House would not print the report and the matter rested so far as the Pacific railroad was concerned, although this was the year in which Congress began making land grants in aid of railroad construction. The Senate had before it a bill for a preliminary survey of a route to some point on the Pacific Coast. This bill showed the effect of agitation for a southern route, as opposed to Whitney's Northern Pacific route, and also inaugurated the struggle over the location of the eastern terminus of the proposed road, a struggle which did not end until during the Civil War.

In 1852 the House Committee on Public Lands condemned the Whitney plan as presenting obstacles, both as regards the route and the method of financing, which could not be overcome.<sup>42</sup> In the Senate in the next session Senator Gwin of California brought in a bill which substituted San Francisco for some point on the Columbia as the western terminal, and which would carry the route from Memphis, *via* Fulton, to the Coast. There was still one voice, however, raised for Oregon. Salmon P. Chase of Ohio proposed that the road start at some point between Independence, Missouri, and Kanesville, Iowa, on the Missouri River.

"We have," he said, "a population in Oregon. The day is not remote when we shall have a State in Oregon. We have already a great . . . State south of Oregon. It is to connect Oregon and California with the Eastern States, that we want this road . . . Point out to me the shortest route, the cheapest route, and the route which will accommodate the greatest number of people, and that route shall have my support, my earnest and persevering support." Such a route, he maintained, would be northwest through South Pass, that is, over the Oregon Trail, then one branch would go to California and another north to Oregon.

Although continued agitation, mostly over an eastern terminus, kept the Pacific railroad project before Congress

<sup>42</sup> *Globe*, XXV, 1274.

<sup>43</sup> *Ibid.*, XXVII, 127, 280-7; 314-43; 469 seq.

until, during the Civil War, a land grant was finally made, it was no longer the road to Oregon but the road to California. Eventually, after the War, a line was extended north to the Columbia and Puget Sound, but it was many years before the first direct route, Whitney's route, was threaded with rails. Railroad or no railroad, however, Oregon's population continued to increase although not with the rapidity with which California's grew. The Oregonians were beginning to think not only that it was time to shuffle off the territorial shell for the dignity of a State, but that a State would receive much more consideration from Congress; ills would be remedied and rights acknowledged with greater readiness if a real Representative sat in one house of Congress and two Senators in the other.

## CHAPTER XIV

### THE STATE OF OREGON

The old Oregon Territory is divided into four roughly equal parts by the Cascade Mountains and the Columbia River; the mountain range forms the upright of a cross while the river is the transverse. Today Oregon and Washington are very distinctly divided into Eastern and Western parts; the "East Side" and the "West Side" are understood by all, just as "Up State" is in New York. In the Fifties it was all "West Side." The Columbia, however, was a sufficiently well defined boundary line between the two sections into which the bulk of the migration had poured—the Willamette valley, and the Puget Sound Country where later emigrants had sought the fertile valleys marked at one time by the Hudson's Bay Company as its legitimate field of activity. Squatters had encamped upon the farms and claims of the Puget's Sound Agricultural Company; some pioneers, either more scrupulous or later in arriving, had gone to other portions of the land west of the Cascades about the indentations of the Sound, some even going to the islands which dot its waters. From 1845, when the first American took up his abode in what is now Western Washington, to 1853, the stream of immigration grew in volume, excepting only in 1849 when the gold rush to California temporarily checked its flood.<sup>1</sup>

When the distances and lack of roads are considered it is not necessary to search farther for reasons why people of the region north of the Columbia soon began to cast about for means by which they could bring the machinery of government nearer to them. If one also takes into consideration the universal desire of Americans to have a finger in governmental affairs, and to lift a voice which may be heard, then the agitation for separate organization is wholly explained. South of the Columbia the population was increasing more rapidly than

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<sup>1</sup> See Bancroft, *Washington, Idaho and Montana*, Ch. 1.

north, to say nothing of the fact that a goodly population was found there before even a handful lived north of the river. This meant that to the disadvantage of distant location was added the fatal defect of comparative paucity of representation. Consequently at a Fourth of July celebration in 1851, after the set program of the day, the first step was taken to secure a separate organization for the "Territory of Columbia." A committee selected there called a meeting of representatives from the counties north of the Columbia, to be held in August on the Cowlitz. Here twenty-six delegates, all from Lewis County, met, discussed the situation, and drew up a memorial to be presented to Congress by the Oregon Delegate. This document represented the necessity for a division of the territory of Oregon, prayed Congress to extend the provisions of the donation land act to the northern district, and asked appropriations for divers objects. Another meeting was set for the following May, when, if Congress should not have acted in accordance with the memorial, steps were to be taken for State organization, and immediate admission to the Union would be sought.

The congressional session of 1851-2 ended with no attention to the requests of the would-be territory of Columbia. Neither was the new State organized in May. But in September, 1852, there was held at Monticello a convention to consider the subject. During the past year a little newspaper, the *Columbian*, had been established at Olympia in order to agitate for separation. So successful had its campaign been, in connection with the other motives urging separation, that the Monticello convention drew delegates even from the region bordering the Columbia River where it had been feared there would be opposition to the movement, since those people were not so seriously inconvenienced in their relations with the government on the Willamette as were the inhabitants of the Sound district. A committee drew up a memorial which Lane presented to the House of Representatives when the bill for territorial organization was brought up in Committee of the Whole. The memorial represented that Oregon Territory was too



large for a single government; that the region north of the Columbia was large enough for another territory since it contained some 32,000 square miles; that the northern region was at a disadvantage on account of its distance from the seat of government and the preponderance of population in the Willamette valley; and that the local nature of the laws enacted by the Territorial Legislature was against the interests north of the Columbia.

While the question was raised in the House as to whether there was sufficient population north of the Columbia to warrant the creation of a new unit, no real opposition appeared. With "Columbia" changed to "Washington" the House passed the bill.<sup>2</sup> In the Senate there was even less discussion than in the House. "It is one of the old-fashioned territorial bills," said some one, and the measure was passed without further comment.<sup>3</sup>

Oregon territory was thus bisected by a line which followed the middle of the Columbia River to a point, near Walla Walla, where the forty-sixth parallel cuts the stream; this parallel formed the line to the summit of the Rocky Mountains. Washington territory comprised what is now the State of Washington together with northern Idaho and the strip of Montana which lies between the main ridge of the Rockies and the Bitter Root Mountains.

With the division of Oregon came the question of Statehood. While desultory discussion had raised the question from time to time, it was not until after Washington had been set off that the issue was seriously debated. During the latter part of 1853 and in 1854 interest grew. Answering this agitation, which was fostered by the Democratic party in Oregon, Lane introduced in the House a bill for an enabling act in April of 1854, at a time when the Kansas-Nebraska controversy was uppermost. When the measure came up in Committee of the Whole it was not seriously considered; the population of Oregon had been less than 15,000 at the time of the 1850 census

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<sup>2</sup> The memorial is in the *Globe*, XXVI, 541. Passage of the bill, 555.  
<sup>3</sup> *Ibid.*, 1020.

and it was thought impossible for it to have increased sufficiently in four years to warrant statehood. Lane, however, was sure that the population was at least 60,000, certainly 20,000 greater than Illinois' when that State had been admitted, and people were pouring into the territory at the rate of five thousand a year. Besides, he said, the people of Oregon were tired of being dependent.

A remark from Millson of Virginia showed the relation of all question of state admission to the slavery issue; he said it might be inferred, from the quarter whence proceeded all opposition to the measure (it had been only southerners who had raised the population question), that it was due "to the peculiar relations existing between certain members of the Confederacy." As for himself he should view the question on its merits, and if Oregon should be found entitled to admission, his vote was for it; nevertheless, he could not disguise the alarm with which he looked upon the multiplication of Free States, and he was mortified at the apathy with which the House was allowing this measure to proceed without any sufficient knowledge upon which to base action. Seward of New York gave notice that he would move an additional section whereby all restriction as to slavery should be removed, leaving the question to be decided by the people in the territory. Before any conclusion had been reached the committee rose and the measure did not come up again that session. In the following session it was taken up, amended in some details, although Seward's proposal was not adopted, reported by the Committee of the Whole and passed by the House.<sup>4</sup>

The Senate Committee on Territories, when asking consideration of the House bill, called attention to the amendment which it had added; namely, that Oregon should not be admitted until it had a population of at least 60,000. Owing to the raising of objection to its immediate consideration the bill lay over until the third of March. At that time only Douglas

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<sup>4</sup> *Globe*, XXVIII, 936, 1117 seq.; XXX, 455.

and Seward would take an active part favoring the bill. Seward pointed out that already there were indications that if the bill did not become law Oregon would come in as California had, uninvited. But the Senate showed little disposition to act, and even Douglas would move to table the measure, although he said he was willing to sit it out as long as there was any hope (it was then eleven o'clock on the morning of Sunday, March 4th). Douglas said there was evidently a combination of Senators of the extreme North and the South to defeat the bill. The vote to table, (27 to 11) however, did not reveal any ground for sustaining this accusation.<sup>5</sup> Of the eleven who voted against tabling, five were from New England, two from Ohio, and one each from New York, Texas, Michigan and California.

Thus the Thirty-third Congress came to an end with Oregon still in its territorial swaddling clothes. In spite of occasional echoes of the slavery contest over Kansas, that issue did not appear in any degree worthy of note in the Oregon discussion. Many Senators were inclined to wait until it was affirmatively shown that the territory had a population equal to the ratio for one congressman; they were suspicious that the assurances of Joseph Lane were tempered by his hopes. This was, indeed, the case. Even in 1859, when the State was admitted, the population fell short by many thousands of the number Lane confidently stated in 1854.

The Thirty-fourth Congress found Oregon before it with a new bill for statehood.<sup>6</sup> Late in the first session (June, 1856) the measure came up in the House and again met with opposition on the population question. In all the preliminary discussion of the bill there were references to the pending legislation on Kansas. Galusha Grow of Pennsylvania, a Republican, said very bluntly, when controverting the proposition that it depended on Congress whether or not the people of Oregon should form a constitution, that there was no power to prevent the people of a territory, although that organization

<sup>5</sup> *Ibid.*, 991, 1149-50.

<sup>6</sup> *Globe*, XXXII, 1443. The debate occurred 23 and 24 June.; *Ibid.*, 1443-58.

was a creature of Congress, from framing a constitution whenever they wished. Later he said, after several other Representatives had discussed the population topic, "This debate seems to have been anticipating that which will take place on the Kansas bill. Let us dispose of this bill today." Those who desired to see Kansas a slave state, however, were trying to establish a point on the population issue in the Oregon bill. Smith of Virginia said that the Ordinance of 1787, "to which some gentlemen look as an impersonation of inspired wisdom," required 60,000 as the population before the territory could be made a State, consequently by what right could Oregon ask to be represented in the House with less than the legal ratio for a Congressman. Giddings took issue with that and said the right depended on the ability to support a State government; all this objection about the population ratio was a new one and not based upon the Constitution. The rule of propriety alone, he maintained, should determine admission, and it was proper to admit Oregon. When pressed to state definitely whether he would vote to admit Oregon with or without slavery Giddings practically announced that he would only favor admission as a free State, for he said he would not vote to transgress the laws of God and of nature.

Proposed amendments, confining the proposed State to the territory west of the Cascades, extending the suffrage to non-citizens (the territorial bill had given the franchise to those who had declared intention to become citizens), restricting the right to vote for delegates to the constitutional convention to free white males over twenty-one years of age, were all rejected. Bowie of Maryland discovered a possible opening for woman suffrage, and moved to insert the word "male" in the clause where the vote was given to "the people of Oregon, being citizens of the United States." All the discussion and modification, however, did not get Oregon into the sisterhood of States. Congress adjourned with the bill still in Committee of the Whole, and Mr. Lane was obliged to return to Oregon disappointed both as to statehood and the money for the Indian war expenses which his constituents had trusted him to secure.



In the following January the matter was up again. An enabling act for the territory of Minnesota had passed the House (31 January, 1857), and Grow, chairman of the Committee on Territories, said, "The Committee . . . have agreed upon a bill similar to this, authorizing the people of Oregon to form a State constitution and State Government; but as gentlemen seem to be so much averse to giving this authority, which is a mere form, (as the people of the Territory can meet in their Assemblies and form a Constitution, and send it here, as well without this authority as with it), I will not therefore press this bill now."<sup>7</sup> The bill was, however, called up later in the day, agreed to by the Committee of the Whole and reported to the House. Like its predecessor this bill had not confined the right of voting to citizens of the United States only, and an attempt to insert that restriction was narrowly defeated (61 to 60) after Lane spoke against it. Lane, indeed, did not wish any change in the bill, unless it should be in the part fixing the eastern boundary line at 120° W. Long., whereas, according to the Oregon Delegate, it should have been at 118° W. Long. Two amendments were adopted; one restricted to citizens of the United States the privilege of voting for delegates to the constitution convention; the other eliminated a clause by which delegates to the convention were to have voted on the question whether the people of the territory desired to form a State government before proceeding with their constitution making. An amendment to require the population to equal the ratio for one representative (93,420) was rejected, and also one to strike out the provision which allowed the proposed State to have ten sections of public land for public buildings. Letcher (Virginia) pointed out that Congress had been appropriating money for Oregon public buildings for years, but his protest fell on unheeding ears. In its modified form the bill was passed by the House.<sup>7</sup>

The senate was more accommodating in the matter of a

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<sup>7</sup> *Globe*, XXXVI, 519-23.

boundary line, for the Committee on Territories amended that clause to accord with the desires of Lane, and fixed the line as it exists today for the State of Oregon. Another amendment by the Committee put the region south of 46° N. Lat. and east of the Oregon line under the territorial jurisdiction of Washington. The Senate, however, went no farther, and the Thirty-fourth Congress, like its predecessor, came to an end with Oregon still a territory.<sup>8</sup>

Dissatisfaction over the delay of Congress resulted in independent action by the Oregonians.<sup>9</sup> Since 1854 the statehood sentiment had been growing although it had been opposed at the beginning by the Whigs who pointed out the additional expense which would result. But the Whigs were few in number and not politically influential so their opposition had little significance. The dominant party had, by legislative resolutions, directed Lane to work for the enabling act, and at the same time had made provision (1856-7) for taking the sense of the people as to whether a convention should be held and for electing delegates to it. Meanwhile a little of the white-hot conflict over slavery extension had crossed over the mountains so that anti- and pro-slavery movements had gained enough headway to make this question the dominant one before the people during the months preceding the election of delegates to the convention. A large majority of the people were descendants of those who had lived in slave States; many of them had themselves been slave-owners. Their four-times elected Delegate to Congress, Joseph Lane, was not opposed to slavery as he demonstrated, in 1860, by accepting the nomination as candidate for vice-president from the Breckinridge wing of the Democratic party. Newspapers and public men took up the question and advanced arguments as to why Oregon would benefit or receive injury from the presence of slaves. The anti-slavery agitation found a rallying point in a little group of men who organized as Free-State Republicans, and who gained sufficient strength to have rep-

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<sup>8</sup> *Ibid.*, 821, 878.

<sup>9</sup> Bancroft, *History of Oregon*, II, chapter 17.

resentation, although little weight, in the Legislature in 1856-7. The Democrats were divided over the issue, especially after a convention, in the spring of 1857 to nominate a candidate for Delegate to Congress, had proclaimed that "We deny the right of any state to interfere with such domestic institutions of other states as are recognized by the constitution." The disruptive tendencies of this declaration were added to by an attempt of the dominant faction to gag all independent action within the party.

In August, 1859, the constitutional convention was held. From the first it was decided that there should be no discussion of the slavery issue in the convention, but that the question should be submitted to the people with the constitution which should be framed. Accordingly two propositions went before the electorate in addition to the constitution: Should there be slavery in Oregon? Should free negroes be permitted to live in Oregon? The constitution itself provided that no negro, mulatto, or Chinaman should be allowed to vote, neither could Chinese, immigrating to Oregon after the adoption of the constitution, hold land or mining claims, or work the latter, and the Legislature was to enact suitable laws to enforce these prohibitions. The constitution fixed the boundaries of the State as the Senate Committee on Territories had, except that for the 46th parallel eastward from the Columbia the line was placed farther north in order to bring the Walla Walla valley within the limits of Oregon. A qualifying clause allowed the line to be moved back to 46° if Congress should so will; and Congress did. In its general features the constitution was not materially different from most State constitutions framed in that period; one provision, however, is worthy of note, for it forbade making the property and pecuniary rights of women liable for the debts or contracts of their husbands. Half of each donation claim taken by a married man, then, was the absolute property of the wife.

In November the people voted on the propositions and the constitution. In a poll of slightly over 10,000, slavery was rejected by a majority of 5,082; free negroes were debarred

by a majority of 7,559; and the constitution itself was adopted by a majority of 4,000.

In February, 1858, Lane presented an official copy of the constitution to the House of Representatives and it was ordered printed and referred to the Committee on Territories. Mr. Lane, however, did not press for action. Moreover, when Senator Gwin of California asked Douglas why the Oregon bill could not be made an amendment of the Minnesota bill then before the Senate, the latter replied that he had no official information of the facts of the case; Lane had told him it would be better to let the matter rest until after the contest over Minnesota and Kansas had been ended. Thus prodded, Mr. Lane transmitted to Senator Douglas a copy of the constitution, and the Senator, when he presented it to the Senate, remarked that he did not desire to have the impression go forth that Mr. Lane had failed in his duty.

With the constitution in its possession the Senate was in a position to proceed with the Oregon bill, and in May, when the slavery controversy was in one of its quiescent stages, the debate was resumed. The Dred Scott decision of the previous year had been a score for those who desired the extension of slavery; Kansas' attitude on the Lecompton constitution had caused Congress to act. While the manner in which the constitution had been referred back to the people of Kansas had not been just that desired by the majority, it had been such that Kansas must become a State where slavery was legal or remain in the status of a territory. In either case the Southern wing of the Democratic party had scored at least a technical point. There had never been any real question about the admission of Minnesota because it was in the old Northwest Territory, in part. Congress could, then, proceed with Oregon. Such, at any rate, was the opinion of those who advocated the doctrine of popular sovereignty, for Oregon had, in the adoption of the constitution, exemplified that doctrine, untrammelled by such chicanery as had characterized the Kansas situation.



Nevertheless the Senate still found objections to the Oregon bill.<sup>10</sup> Some of the Republicans thought that debarring free negroes nearly nullified the rejection of slavery, although Douglas pointed out that if the clause should be stricken out Oregon could insert it again the day after her admission. Some felt that the same spirit which debarred negroes caused the prohibition of land owning by negroes, mulattoes and Chinese. Moreover, according to Wade, an Ohio Republican, the Chinese feature brought out a new question and might cause international complications by placing the Chinaman on a level with the negro. Some Republicans and many Southern Democrats opposed admission on the old ground of too small population. Brown of Mississippi very frankly said that he should vote against the bill for if the Republicans wished to exclude a free State it was not for him to interest himself particularly in getting it in. If the admission, said he, would be put on the ground that Kansas had come in as a slave State (the constitution had not yet been rejected under the terms of the congressional act of 1858) and a balancing free State was desired, then he would vote for it; as for the talk about debarring free negroes, it appeared to him that Massachusetts, New York and other Northern States desired to see an increase in free negroes but wanted to send them all to Oregon.

On the nineteenth day of May a test vote was taken on a motion to postpone the bill until the following December. The motion was lost and the passage of the bill followed, by a vote of 35 to 17. An analysis of the vote shows the following results:

	For Admission	Against Admission
Democrats	22	8
Republicans	12	6
Native Americans	1	3
Free State	21	6
Slave State	14	11

<sup>10</sup> *Globe*, XXXVI, 2203-9.

Neither party nor sectional lines offer any adequate explanation so far as the Senate is concerned. The explanation of the opposition so far as the Republican vote is concerned, however, may be derived from the action of the House at this and the following session. There were two grounds; the less important was that of population, the more important was connected with the all-powerful slavery issue in its relation to party politics. By allowing the Lecompton constitution bill to go before the people of Kansas again the Republicans had deviated somewhat from a consistent course,—a course they probably would not have taken had they not believed the free State population was strong enough to defeat the slavery provisions of the constitution. In the case of Oregon, even though slavery was not to be allowed, the free-negro clause was in conflict with their constitutional views on the power of any State to exclude citizens of the United States. Besides all this, and most potent of all, was the belief that Oregon was overwhelmingly Democratic, and her admission would mean a Democratic delegation in both houses. While one Democratic Representative in the lower house would not make much difference, two Democrats added to the small number of the Senate would be maintaining too well the preponderance of Democracy in the upper house. Consequently the Thirty-fifth Congress adjourned its first session without final action on Oregon.

The people of Oregon felt sure that the next session would see the fulfillment of their hopes, hence, since the constitutional convention had provided for an election of State and National officers in July of 1858, they proceeded to make ready their governmental machinery against the day of success. The Republicans of the United States could see in the result of the elections what they had feared, for three Democrats were to represent Oregon in Congress. La Fayette Grover was elected Representative, and the Democratic Legislature elected Joseph Lane and Delazon Smith to the Senate. Lane, therefore, went to Washington as a Delegate of the territory and as a Senator from the prospective State. It was

perhaps fortunate for him that it was the Legislature to which he presented himself as a candidate rather than to the electorate, for his inactivity in the last session of Congress had stirred up much feeling; some said that he purposely put off acting in order that he might draw the mileage of both Delegate and Senator at the next session. It appears that few people in Oregon realized the bitterness of the contest which was being waged over Kansas, or recognized the bearing of that contest upon their own interests.

Kansas had, however, voluntarily deferred the time of her admission to the Union by rejecting the Lecompton constitution and had to wait until her population should be numerous enough to equal the number required as a ratio for one representative. Commenting on this Buchanan, in his Annual Message, said, "Of course it would be unjust to give this rule a retrospective application and exclude a State, which, acting upon the past practice of the Government, had already formed its constitution, elected its legislature and other officers and is now prepared to enter the Union."<sup>11</sup>

The President's opinion, obviously prompted if not dictated by party considerations, found a response in the House where the Senate bill was waiting. Alexander Stephens, chairman of the Committee on Territories, stated (7 January) in answer to inquiries both in and out of Congress, that he was prepared to report the Oregon bill whenever his committee was called. A month later (9 February) he announced that the Committee on Territories had been reached, saying that he gave notice in order that there might be a full attendance on the next day. The bill was reported (10 February)<sup>12</sup> with a recommendation for passage from the majority of the committee. There had been no census since 1855, when the population was 43,474, but there was \$18,000,000 worth of personal property to tax, which, allowing for a legitimate increase, and using the ratio in Ohio, would indicate a population of 250,000. Either Oregon

<sup>11</sup> Richardson, *Messages*, V, 502.

<sup>12</sup> *Globe*, 1858-9, Pt. 1, 943 seq. Grow's report, page 946. The debate occurred on February 10, 11, 12, and the bill was passed February 12.

was very wealthy or the population had increased very rapidly; at any rate there was no question that it was at least some 90,000 or the ratio for a Representative. It was the solemn obligation of Congress to admit the State since the territorial act of 1848 had included the guarantees of the Ordinance of 1787, among which was the provision for admission whenever a population of 60,000 should have been attained.

This appeal to the Ordinance of 1787 brought Grow to his feet with a protest that a rule had been laid down in the case of Kansas requiring it to double its population before it could be a State; furthermore, the Ordinance had imposed no obligation to admit a State, no matter what its population. He then presented a report from a minority of the Committee, signed by himself, Amos P. Granger of New York and Chancey L. Knapp of Massachusetts, all Republicans. Up to that time, ran the report, Congress had followed no uniform rule for the admission of States, but Kansas, with a population large enough to be a slave State, must wait until it had 93,420 people before it could come in as a free State. The President had declared in his Message that any attempt on the part of that territory to form a constitution before it had secured that population would be a distinct violation of the law, and should it be attempted he would use Federal power to prevent it. In 1855 the population of Oregon was 43,473, and the largest vote ever cast there was 10,121, while Kansas had polled 13,089 in rejecting the Lecompton constitution. The minority were unable to perceive any fairness in one rule for Kansas and another for Oregon; both were alike in having no enabling act, and the only real difference was that Oregon had a territorial government which was disliked, while Kansas had an organization in which political power was wielded by usurpers and despots. Therefore without expressing an opinion as to the propriety of a numerical ratio, the minority recommended a repeal of that portion of the act for the admission of Kansas which provides "Whenever, and not before, it is ascertained by a census duly and legally taken, that the population of said territory exceeds or equals the ratio of rep-



resentation required for a member of the House of Representatives . . . .”

Felix K. Zollikoffer of Tennessee, one of the small number of Know-Nothings in the House, presented a second minority report, reflecting the tenets of his political organization. This report solemnly protested against the provision in the Oregon constitution which allowed others than citizens of the United States to vote; such a provision was unconstitutional according to the interpretation of the courts and the testimony of the framers of the United States Constitution. The report also protested against the admission of Oregon with its small population.

Practically all the opposition on the floor of the House came from Republicans, although Millson opposed the bill as he had done before, on the population question. Hughes, an Indiana Democrat, definitely charged that there was a Republican plot to keep Oregon out, for, in addition to their stated reasons, there was the stronger one that there must be no new Democratic State before the presidential election in 1860. Turning to the Republican side of the House he said:

“Go, then, freedom-shrieker! Vote against Oregon. But remember, you vote against the compact of the ordinance of 1787, expressly extended to that Territory by act of Congress. You vote against ‘popular sovereignty,’ and deny to the people of Oregon the ‘right to regulate their domestic institutions in their own way.’ You vote for negro equality, and plant yourself in opposition to the Constitution of your country, which you have sworn to support. You vote to deny to the white foreigner what your enlarged philanthropy claims for the negro who happens to be born in the United States. You vote to keep a free State out of this Union—a State which comes on our own invitation, and comes in the most orderly, regular, and appropriate way. There are some of you that will not do this thing and some that dare not. Upon those who do I invoke the condemnation of an intelligent and patriotic people.”

The charge brought by Mr. Hughes was essentially supported by the facts of the case. The Republicans had deter-

mined to use Oregon as a lever to bring Kansas in; if Kansas was kept out, Oregon must stay out. All the strength of the Republican organization was to be used to prevent the passage of the Oregon bill; Thurlow Weed and Horace Greeley went to Washington to use their influence to prevent any Republican from getting out of line.<sup>13</sup> It was, nevertheless, a Republican who was responsible for the passage of the bill. Eli Thayer, who had been a member of the New England Emigrant Aid Company and who was chiefly responsible for the Kansas Crusade, took the stand that it was unfair to make Oregon suffer for the sins of others. As Mr. Thayer, writing many years later,<sup>14</sup> says:

"I protested against this policy (of the Republican caucus), saying that Oregon had been a territory for ten years, that the House had passed an enabling act with which she had complied, and that the Senate had voted to admit her with the aid of Republican votes; that she now asks admission into the Union as a State, presenting for our acceptance a free-State Constitution. That I would not be bound by the decision of the caucus; that I was strongly in favor of the admission of the new State, and that I should work for it, and induce other members of the party to vote for it, but that I should vote in favor of it even if no other Republican could be found to do so.

"As soon as the caucus was over I went to Mr. Stephens and told him that I would work night and day in favor of his report . . . .

"I began at once to urge upon Republicans the duty and good policy of admitting Oregon. By persistent effort I secured sixteen who promised to vote for admission, and should have had others, but Greeley and Weed frightened some of these away and weakened my support. But on the day of the vote we retained fifteen who, with the Democrats, were able to admit the State by a majority of eleven.<sup>15</sup>

"On the day of the passage of the bill I gave my reasons

<sup>13</sup> See "Eli Thayer and the Admission of Oregon," by Franklin P. Rice, in *Proceedings of the Fiftieth Anniversary of the Admission of the State of Oregon Into the Union* (Salem, 1909), from the *Worcester Magazine* of Feb. and Mar., 1906.

<sup>14</sup> In a letter to Rice.

<sup>15</sup> Either Mr. Thayer's memory was treacherous or he counted as Republicans some who were not so considered, for the roll call of the vote shows but thirteen Republican votes and one Whig vote for the bill.

very fully for the course I had pursued. It was well known at that time that it was due to my work that Oregon became a State, and for a few days I was roundly abused by some of the inferior Republican journals and the Tribune. Soon, however, under the lead of the New York Evening Post and the National Era, nearly all the Republican papers defended my position.

"Among those whose confidence in their own judgment Greeley had seriously impaired was Schuyler Colfax, who remained undecided to the day of voting. That morning I walked to the Capitol with him. On the way he said: 'I was never in such perplexity about my duty as I am in this Oregon matter.' We were just then passing the office of the National Era, and I suggested that he get Dr. Bailey's opinion. Accordingly we went in, and he said: 'Dr. Bailey, I do not know what to do about Oregon. Thayer wants me to vote for admission, while Greeley is just as earnest the other way. Now I have come to you for a decision. I shall vote upon this question as you advise.' Bailey at once replied: 'Vote with Thayer, for he is right.' We proceeded to the Capitol, and Mr. Colfax cast his vote in favor of the bill.

"I had felt sure of John Sherman's vote, but he did not appear in the House at all that day . . . ."

Whether intentional or not, it proved fortunate for the Republicans that Oregon was admitted for otherwise her vote would have been lost in the Chicago Convention of 1860, and the Senate in the Thirty-seventh Congress would have had less Republican strength. Contrary to Republican fears in 1859, Oregon did not remain in the Democratic ranks.

The bill was fought to the very last ditch; a roll-call was demanded upon all amendments which were offered (the chief of which were to require a larger population and to prevent non-citizen suffrage), and upon motions to table. There were six divisions by roll-call and one by tellers. On its passage the bill secured 114 affirmative votes and 103 were cast against it. Thirteen Republicans and one Whig saved the day for Oregon. In the Democratic ranks there was no such unanimity as among the Republicans, nor did the division within the party follow sectional lines. Seven of the ten Virginia votes (one was paired), four of the eight from North Carolina (one

Native American voted against the bill), five of the seven from Georgia, and all from Mississippi, Kentucky, Tennessee, Missouri, Louisiana, Arkansas, and Florida, were cast for the measure. Two of the three Texas votes were for it. The South Carolina and Alabama vote was solid against the bill. Practically the whole of the northern Democracy was for the bill, although two from New York and one each from Pennsylvania and Illinois were against it. Party succeeded in overcoming western zeal for a new western State in most cases, for seven of Ohio's ten Republicans, one of the five from Indiana, all four from Illinois, two of Wisconsin's three, four from Michigan, and one from Missouri were against admission. The Republicans who saved the day were scattered; five were from New England, four from Indiana, three from Ohio, and one from Wisconsin. The solitary Whig who flocked with the majority on this occasion was J. C. Kunkell of Pennsylvania, who both for the Thirty-fourth and Thirty-fifth Congresses ran as a Whig and defeated the Democratic candidate in his district.

The feeling of Greeley at the passage of the bill was indicated by an editorial in the *Tribune*, in February, 1860:<sup>16</sup>

"We hold that the great body of Republicans voted just right on this question, and of the course of the fifteen who separated from, opposed and defeated them, did a grievous wrong . . . . If Oregon in 1860, unbalanced by Kansas, shall elect a pro-slavery President, then woe to those Republicans whose votes shall have enabled her to do so. It is said that Oregon is a free State, but it would vote for pro-slavery interests. By the express terms of the Constitution, any of Mr. Eli Thayer's constituents and supporters guilty of having African blood in his veins who should visit Oregon with intent to settle therein, is guilty of a grave offense against the majesty of that State, and will be treated like an outlaw and a felon . . . . That border ruffian Democrats should sanction and give effect to such cruel injustice is but natural; that a few Republicans should be induced, no matter on what specious grounds, to aid them, is deplorable."

<sup>16</sup> Quoted by Rice. Only thirteen Republicans and one Whig are recorded as voting for the bill. See Poore, *Political Register*; Note 15 above.



The fight for admission was over and Oregon's Senators and Representatives immediately entered upon their duties in Congress. Lane drew for the class the term of which expired in 1861, while Smith found himself in the class which would end his term in a few days, on the third of March, 1859.

Before the close of the session there was one further echo of the Kansas-Oregon population controversy. Hale (New Hampshire), in moving as an amendment to the appropriation bill a clause removing the restrictive proviso from the Kansas act called upon the Senators from Oregon to state whether they would do unto others as they had been done by; according to the argument which had been much used in urging the passage of the Oregon bill the public faith was pledged to admit a territory when the population reached 60,000. Would they vote to let Kansas in? Both Lane and Smith refused to commit themselves, showing that they could work in harmony with their Democratic brethren of the Senate, and both asserted that Oregon's population far exceeded that of Kansas; in fact, Smith declared it was a third greater, despite the misleading statements of the Republican party. Oregon was in the Union, and all questions of population were relegated to the realm of theoretical speculation. Nevertheless the returns of the census of 1860 are interesting, for it appeared that Oregon had a population of 52,465 while that of Kansas was 107,206.

With statehood Oregon felt herself in a position to remedy some of the evils which had beset her; no longer was it necessary to tolerate a governor and other administrative officers who were not elected by Oregonians; the long-standing grievance against the Federal Government over Indian war expenses might stand a chance of redress. There were hopes that the postal service, against the inadequacy of which they had complained long and bitterly, would be improved. They felt that such public lands as fell to the State could be much more satisfactorily managed than had been the case before. In short the people of Oregon felt that their time of tutelage had lasted long enough, yes, far too long, and recognition of their

ability to manage their own affairs was no more than their just due.

Of international problems connected with Oregon, besides that arising from the possessory rights of the British Companies, there still remained in 1859 the matter of marking the boundary. Although President Polk had refrained from pressing this matter, events soon demonstrated that it would have been a wise act on the part of Congress to have immediately made appropriations and given authority whereby a commission for the United States could act with a similar body for Great Britain to settle definitively the line indicated by the treaty. In his first Annual Message (December, 1851) President Fillmore called to the attention of Congress the desire of the British Government to take this step, and he recommended an appropriation.<sup>17</sup> Nothing was done, however; and subsequent reminders proved as fruitless.

President Pierce, in his second Annual Message,<sup>18</sup> said, "There is a difference of opinion between the United States and Great Britain as to the boundary line of the Territory of Washington adjoining the British possessions on the Pacific, which has already led to difficulties on the part of the citizens and local authorities of the two governments." This difficulty arose over the question of the San Juan Islands; the British government contended that the main channel of the Strait of Juan de Fuca was east of the islands, while the United States insisted that it was west. Local disturbances took place both over possession and jurisdiction.<sup>19</sup> No action was taken to end the controversy, which was allowed to become more acute until it required, in 1871-2, a court of arbitration to decide that the disputed land was American and not British. Had the line been run before 1850 it is probable that no contest would have arisen and great expense as well as considerable international friction would have been avoided.

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<sup>17</sup> Richardson, *Messages*, V, 119.

<sup>18</sup> *Ibid.*, 277-8.

<sup>19</sup> See report of Secretary of the Interior, *Sen. Ex. Doc.* No. 1, 33d Cong., 2d (1854); *Sen. Rep.* No. 251, 34th 1st; *H. Ex. Doc.* No. 77, 36th 1st. The whole matter is discussed in all its phases in the papers presented to the Emperor William, 1872, *H. Ex. Doc.* No. 1, 42d 3d.

A study of the Federal relations of Oregon reveals the fact that, while the Oregon Question in one form or another, occupied the attention of the authorities of the United States for nearly half a century, there was no episode connected with it which stood alone as a paramount issue. Such a fact is the more interesting when one takes account of the high degree of excitement which accompanied each episode. Three periods stand out as the most spectacular and probably the most important; the division of the Oregon Country with Great Britain, the formation of the territory, and the admission of the State. In each of these the Oregon Question was linked with some other national issue which lent a fictitious importance. In the boundary controversy Oregon was really subordinated to Texas which was a national issue in and of itself. Texas, with all the agitation attending its entrance into the Union, was a vital factor in the history of the development of the nation; Texas figured as a decisive issue in the great struggle which centered about the question of the nature of the Federal Government. One is forced to believe with the legislators who, after 1818, were willing to let the Oregon Question rest and allow time to determine the outcome that all the furor of 1845 and 1846 did not vitally affect the outcome. To be sure, Great Britain has always been willing to accept additions to her Empire and has not been averse from making the most of favoring circumstances, so there may have been something in Richard Rush's belief that the commotion of 1846 brought England to a desire to end the controversy and to yield something more than had been her previous intention. Nevertheless, down to the time the hue and cry of 54-40 was raised, and that as a campaign issue and a blind, both the United States and Great Britain agreed that the other had rights in the Oregon Country, and each had shown a disposition to make an adjustment on equitable lines.

The struggle over territorial organization came at a time when territories in general and their actual and potential meaning for the issues between North and South were uppermost. The heatedly argued points which were brought out

in connection with Oregon were not primarily about Oregon; any other territory, as the discussions of 1848 and 1850 demonstrated, would have and did serve the purpose as well; but Oregon was held up on account of the effect action would have on other questions. So it was in the statehood question. Oregon interested most legislators on account of its bearing on the rapidly approaching crisis over the disputed nature of the Union; for the Democrats as a whole its admission seemed to mean political strength and they worked for its admission on that ground. For those who thought that "popular sovereignty" was the solution not only of the controversy about Federal and States' Rights but of its by-product and its cause—slavery and its extension—Oregon was an illustration of the way the doctrine worked. Those who were fighting the extension of slavery saw in the admission of Oregon an obstacle in the path they meant to follow.

Even in the West where Oregon found from the beginning its champions, it must be confessed that Oregon's significance for the West as such played a greater part than did Oregon as an entity. The westerners, those of the Mississippi valley, saw in the action of their brothers on the Atlantic seaboard a disposition to subordinate to their own interests the functions of the government. Each additional territory, then, was a potential State, and each State meant votes in both houses of Congress.

Obviously this conclusion that the Oregon Question was for the most part a subordinate phase of some other national issue does not in any way affect one's opinions of the territory itself, its history and its development. As a matter of fact Oregon gained immensely by being thus brought into prominence; no territory had been so liberally advertised for so long a period; no territory was more bountifully treated in the disposal of the public domain, so that emigration thereto was vastly stimulated and the disadvantage of its distance from the old settled portions of the Union to a large degree overcome. And in the end Oregon became a State much more easily than had been the case with most territories.



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DOCUMENT

*Letter, Jesse Applegate to W. H. Rees, Secretary Oregon  
Pioneer Association.*

Yoncalla, Oregon, Dec. 25th, 1874.

W. H. Rees, Esq.,  
Sec. O. P. A.

Dear Sir:

Your letter informing me that I had been named as a speaker to your association at the fair ground on the 15th June next has been received. I will not be present.

Did my circumstances permit, it would afford me great pleasure to meet my old friends and neighbors on that happy occasion.

Many of them crossed the plains when I did, and we have shared the toils and dangers of the journey, and the privations and hardships of settling a new country together. May they long enjoy in honor the just fruits of their enterprise.

It would be a great enjoyment once more to meet them and present them with an address. There are many pleasant and flattering things I could truthfully say to them, and some scraps of history in which some of the early settlers of Oregon deserve honorable mention yet untold, which I should like to see go on the record.

The pioneers of the U. S. are of illustrious descent. Their forefathers were that band of heroes who shed their blood for the rights of conscience in Europe three centuries ago. And rightly appreciating the blessings of civil and religious liberty, they ran all risks and endured all hardships to plant these precious seeds in a virgin soil. They have taken deep root, and, watered with the blood of patriotism, they have borne abundant fruit.

From Plymouth Rock to Cape Disappointment, from Mexico to the Pole, all is sacred to liberty. Multitudes of men of all

racés, colors and languages live together in peace and unity, each seeking happiness in his own manner, all free and equal—each worshipping God as seemeth best to himself.

It seems to the purpose of the Deity that the human race should increase in knowledge, virtue and happiness, and men, as the physical forces of nature, are but the instruments in His hands to effect His purposes. When the world is ready for a physical advance, the agent is found to carry it into effect. So in moral reform, the nation, race or individual is always found prepared to meet the crisis; and though the physical forces have existed through all time precisely as they exist today, they remain hidden in the womb of nature until a knowledge of them is a necessity. So of moral progress—the occasion calls forth the man.

In this view of the case there is little honor due the human more than the physical agent; he executes the purpose assigned him and passes off the stage of action, just as the old machine is superseded by a superior or later invention.

So it is with the race of pioneers. We were in our day precisely adapted mentally and physically to perform the part assigned us in the march of civilization, and no matter what our individual motives as individuals, as a class we have well executed the purposes of our creation. But like the scythe, the sickle and the shovel plow, the best of tools among the roots and stumps of a new land, we will be thrown aside and forgotten now our work is done.

Descended from the old Puritans of England, the love of liberty is as natural to us as the color of our skins. A life of many generations on the border between the civilized and the savage has not only trained us to such a life of hardship and adventure, but fits us for its enjoyment. The pioneer does not settle down to stay, he only halts—he can no more bear to be crowded into cities than his half-brother, the savage; while the range is good, firewood convenient and game plenty he may remain until the near approach of the pursuing multitude. When these arrive, with the din of machinery and the snort of

the engine, the pioneer follows the beaver to a more quiet land.

True, there are some among us who differ from the rest, who came to preach the gospel to the heathen. They are entitled to honor for their motive, however small their success.

But for myself and those of my class I claim no higher motive for coming here than the inherent restlessness of our nature, and if we have done any praiseworthy thing it has only been incidental to aims purely selfish, and so far from being proud of the years I have been in this country, I am ashamed to confess the insufficient motives upon which I acted.

Most of us were well-to-do farmers or, rather, graziers, in the valley of the Mississippi, had young and growing families and the means to educate them up to the requirements of civilization, which must overtake us in the end. We fled these advantages to a land almost unknown, and to be reached only by a journey so long and exhaustive that there was no more retrieving it than to return from the grave.

Yet we started with slow moving ox teams, encumbered with our wives and children and all our worldly wealth, to cross a continent intersected by great rivers and high mountain ranges and the way beset by fierce and treacherous enemies.

Those who came to Oregon in 1843 can never forget the toils, the dangers, the sufferings of that journey, nor the years of want and struggle that followed after!

True, our coming incidentally established or at least hastened the establishment of the Republic on the shores of the Pacific. But is even this much of honor our due? Is it not rather the due of Senator Benton, whose far-seeing statesmanship comprehended at that early day the great value of our Pacific possessions, and whose sagacity directed him to the choice of the proper instruments to secure them?

Decree a statue to the Hon. Thos. H. Benton, if you choose, but let his humble and almost blind instruments slip away to their unknown graves. Very respectfully,

JESSE APPLGATE.

## NAMING AND RESERVATION OF THE OREGON CAVES.

*From the Report of the Oregon Conservation Commission,  
1911*

### "OREGON CAVES"

"In 1909 Mr. C. B. Watson, one of the members of the Commission, called the attention of the Commission to the beauty and grandeur of the Josephine County caves and asked that steps be taken to preserve and keep them in their original beauty as a national monument. The Commission took up the matter with Mr. Gifford Pinchot, then Forester of the United States, and on July 12, 1909, the caves were by proclamation of President Taft duly set apart as a national monument under an act approved June 8, 1906, under the name 'Oregon Caves.' These caves are under the immediate care of the Forest Service, being in a national forest. They are of great beauty and will be preserved as a public monument forever."



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